CUMULATIVE INDEX

VOLUMES 1-27

A

ABORTION

European Abortion Law Comparison 24:573

Father Has No Right to Restrain Mother 4:594

Free Speech Outweighs Privacy Rights of Abortion Seekers 20:183

Legislation After Webster 20:71 Minor's Independent Abortion Decision 19:159

Regulating Abortion Counseling of Publicly Funded Facilities 22:399 Spousal Notification Requirement

13:143 Spousal/Parental Consent 7:539 Utah Parental Consent Statute 12:711

ACTIONS AND DEFENSES (See also Civil Procedure; Criminal Law and Procedure)

AIDS—Negligent Transmission 18:691 Alabama Pleading 1:243 Alabama Rules of Civil Procedure

Alabama Rules of Civil Procedure 4:207 Alabama Task Force Report on

Tobacco Litigation 27:575 Attachment; Jurisdiction; Quasi-In-Rem

5:150; 7:517 Cancerphobia 15:723

Consortium Causes of Action 15:179 Expansion of Tort of Legal Fraud

Forms Under Alabama Rules 7:207 Inconsistent Defenses 19:435

Invasion of Privacy as an Additional Action in Title VII Litigation 15:239 Negligent Infliction of Emotional Dis-

tress 15:519

Newsworthiness Defense to Public Disclosure of Private Facts 15:211 Physician Liability in Alabama 15:631

Radon Litigation: Homeowners' Potential Actions 20:823

Section 1983 Claims, Defenses, and Remedies 15:571 Strike Misconduct Discharges 15:23 ADDITUR AND REMITTITUR (See Judgments)

ADMINISTRATIVE LAW (See also Ombudsman)

Accreditation and Religious Discrimination 15:663

Body Searches 18:233

Disability Reviews 16:111

Exhaustion of State Administrative Remedies in § 1983 Actions 12:391

No Interference in Medical Decisions Regarding Handicapped Infants 16:607

Repeal of Fairness Doctrine 18:743 Social Security Appeals Process 3:279 State University Faculty Meetings to the Public 8:539

Welfare Fraud 8:683

ADMIRALTY (See also Maritime Law) History; Jurisdiction; Use of Equitable

Remedies 1:221 Navigation—Control Doctrine 2:448

ADMISSION TO THE BAR

Aliens 4:627

Americans With Disabilities Act and the Bar Examination Process 26:669 Convicted Federal Felons 16:191 Generally 1:98

Statutory Removal of Bar Commissioners' Standards 7:145

ADVERTISING

Attorney's Publication of Non-Fee Information 8:321 Prescription Drug Prices 6:711

AGED

ADEA Apprenticeship Exception 14:393

Age Discrimination 3:333 Disparate Impact and the ADEA

27:1245 Geriatric Psychiatry; Testamentary Capacity 3:322

Grandparental Rights 15:161 Health Care for Elderly Patients 17:437

Health Needs of the Aging 17:469

ALABAMA CONSTITUTION

Agency Immunity and Officer Liability 14:45

Alabama: A Jurisdiction out of Control? 27:973

Co-employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267

Constitutionally Guaranteed Environmental Rights 22:281

Damage Cap Legislation 18:759 Iudicial Reform 4:41

Proposed Revision of Article III 3:402 States' Rights 3:33

Tort Reform: Proponent's Perspective 18:649

Trial by Jury 4:317; 5:339

ALABAMA LEGISLATION (See also alphabetically by subject)

Alabama: A Jurisdiction out of Control? 27:973

Alabama Absentee Ballot Controversy 26:197

Ala. Code 13A-12-131 19:353

Alabama's Mini-Code: A Risk 18:385

Alabama's Survival Statutes 22:711

Alabama Tort Reform '87 18:281 Alabama Trade Secrets Act 18:557

Co-Employee Lawsuits Under the Alabama Workmen's Compensation

Acts 14:267 Consumer Protection 5:404 Damage Cap Legislation 18:759

Ethics Act of 1973 5:183 Exculpatory Clauses 15:765

Failure of Notice in the Disposition of Collateral: Debtor and Creditor Rights 14:181

Fleeing Felon Laws 15:89

Guaranty Association Law in Alabama 20:321

Joint and Survivorship Bank Accounts in Alabama 14:329

Limitation Statute for Asbestos 12:667 Punitive Damages in Alabama 26:1005 Recodification Process 10:119

School Prayer: The *Jaffree* Case 15:125 Tort Reform: Proponent's Perspective

Workmen's Compensation 7:123; 14:425

Wrongful Death and Double Jeopardy

26:231

Wrongful Death Damages 15:745

ALABAMA PUBLIC SERVICE COM-MISSION

Rate Regulation 11:585

ALIMONY

Divorce, Separation, and Child Support Taxation 15:341

On v. On 10:531

Women Only—Constitutionality 6:589

ALTERNATIVE DISPUTE RESOLU-

TION

ADR in Alabama 24:217 Force-Placed Insurance Litigation for

Lenders 26:537

Legal Malpractice Liability for Failure to Inform Clients of Alternative Dispute Resolution? 27:791

Modern Arbitration for Alabama 25:59.

AMERICANS WITH DISABILITIES ACT

Americans With Disabilities Act 21:629

Americans With Disabilities Act and the Bar Examination Process 26:669 Public Accommodations 24:281

Title I: Disabling the Disabled 25:715

AMICUS CURIAE

Quasi-Party, in Guise of 7:293

ANIMALS

Endangered Species Act 24:1 Municipal Liability for Vicious Dogs 5:175

ANTITRUST

Contribution Among Codefendants 11:225

Damages to Redirect Antitrust Policy 7:413

Health Care Delivery Systems 9:685 Minimum Fee Schedules 5:301 Physician Credentialing—Sherman

Act 18:419 Rule of Reason Test 7:505

Standing 9:411

Ultimate Consumer 10:835

APPELLATE PROCEDURE

Alabama 5:451; 6:63 Dismissal of Former Fugitive's Appeals 24:177 Fact Finding by Appellate Courts

12:365

Role of Counsel and Judge 2:145 Standard of Review of Trial Court's Characterization of Gains from Sale of Real Estate 14:643

ARBITRATION (See also Collective Bargaining; Labor Law)

Commercial Arbitration 2:175
Computer Arbitration 19:279
Destructive Impact of the "Ouster Doctrine" 3:175
Force-Placed Insurance Litigation for Lenders 26:537
Injunction when Grievance Subject to Arbitration 1:366
NLRB Practice 7:205

ARREST

Fleeing Felon Laws 15:89
Fourteenth Amendment Protection 10:237
No Reasonable Expectation of Privacy in Police Car 24:147
Search of Person 5:130
Tort Liability of Arresting Officers 7:107

ATTACHMENT AND GARNISH-MENT

Federal Quasi-In-Rem Actions 5:150

ATTORNEYS (See also Admission To The Bar; Fees)

Attorney Fee Enhancement in Civil Rights Cases: Eleventh Circuit and Alabama 20:767

Attorney Fees: What is a Lawyer Really Worth? 25:25

Awards of Fees in the Absence of Statute 10:359

Corporate Counsel on Board of Directors 10:791

Fees 2:505; 11:501

Fee Shifting Under Private Attorney General Doctrine 6:481

General Practitioners' Duty to Refer Estate Planning Client to Specialist 14:103

Legal Malpractice Liability for Failure to Inform Clients of Alternative Dispute Resolution? 27:791 Liability for Negligence 7:69 Minimum Fee Schedules 5:301 Prepaid Legal Services 6:639 Privileges and Relations with Client 5:551

Profile of an Alabama Lawyer 3:450 Publication of Non-Fee Information 8:321

Social Security Practice 3:262 Solo Practice 8:353

Tax Shelter Opinions After TEFRA, Circular 230, and ABA Formal Opinion 346 14:493

AUTOMOBILES (See Motor Vehicles)

AVIATION

Punitive Damages 8:607 Warsaw Convention 8:763

R

BAIL

Capital Cases 8:229

BANKRUPTCY (See also Commercial Law; Secured Transactions)

Discharge of Debts 1:337
Equitable Subordination of Claims in
Fifth Circuit 11:619
Failure of Notice in the Disposition of

Collateral Debtor and Creditor Rights Under the Alabama U.C.C. 14:181

Force-Placed Insurance Litigation for Lenders 26:537

Fraudulent Transfers—Foreclosure Sales for Less Than Reasonably Equivalent Value 23:769

Jury Trials and § 17a(2) of the Bankruptcy Act 9:457

Jury Trials in Bankruptcy
Court—Granfinanciera 24:79
Perfected Security Interest 5:1

Proposed Bankruptcy Act of 1976 6:287 Reaffirmation Agreements 12:431

Reaffirmation Agreements 12:431 Removal, Remand, and Abstention Related to Bankruptcies 27:1037

BANKS

Alabama Constitution 3:33 Alabama's Mini-Code: A Risk 18:385 Breach of Fiduciary Duty in Merger 7:135

Commercial Letters of Credit 4:134 Electronic Fund Transfers 10:441 Failure of Notice in the Disposition of Collateral Debtor and Creditor Rights Under the Alabama U.C.C. 14:181

Joint and Survivorship Bank Accounts in Alabama 14:329

Negotiability of Variable Rate Notes 22:745

Negotiable Instruments 2:266 NSF Charges May be Unconscionable

BAR EXAMINATION PROCESS

Americans With Disabilities Act and the Bar Examination Process 26:669

BEHAVIOR MODIFICATION

Skinner Versus Freedom 4:425 Social Psychology Versus First Amendment 4:1

C

CABLE TELEVISION

Cable Television Franchising 21:43

CAMPAIGN FUNDING

Corporate Philanthropy 4:544

CHILD

Abuse

Due Process and Child Protective Proceedings 2:247

Marital Privilege Exception 7:177 No State Duty to Protect Child from Abusive Parent 20:195

Adoption and Putative Fathers 15:499

Custody

Alabama Alimony and Child Custody 14:265

Grandparental Rights 15:161 Tender Years Presumption in Child Custody Cases 12:513

Divorce, Separation, and Child Support Taxation 15:340

Educational Planning 15:371 Free Exercise of Religion 19:585

Home Instruction 16:179
Injuries Inflicted by Intoxicated Minor a Forescephia Consequence of

nor a Foreseeable Consequence of Negligent Sale by Vendor 14:411 Medical

No Interference in Medical Decisions Regarding Handicapped Infants 16:607

Permission for Surgical Transplant 5:163

Parental Kidnaping Prevention Act 12:485

CHOICE OF LAWS

Alabama 7:89

CHURCHES

Accommodating Church and State

15:67

Church/State Symposium—The Constitutional Issues of Tax Exemptions for Churches 22:467

Tax Exemption 1:345

Title VII and Sectarian Institutions of Higher Education 14:597

CITIZENSHIP

Naturalization 7:211

Voluntary Renunciation to Avoid Draft 3:206

CITY PLANNING (See also Zoning)

Municipal Growth Control 5:543

CIVIL PROCEDURE (See also Actions and Defenses; Criminal Law and Procedure)

Alabama

Abuse of Process 10:209

Alabama's Survival Statutes 22:711

Alabama Task Force Report on

Tobacco Litigation 27:575

Alabama Tort Reform '87 18:281

Appellate Process 5:451; 6:63

Bowen v. Cummings: Fictitious Party

Pleading 20:165

Creditors Who Attempt to Recover Personal Property from a Default-

ing Debtor 10:765 Default Judgment 1:337

Discovery 4:262

Forms 7:207

Pleading 1:243

Pre-Trial Conferences 4:342

Quasi-Party in Guise of Amicus

Curiae 7:293

Right to Jury Trial 4:317; 5:339

Rules 4:207

Scintilla of Evidence Doctrine 4:75

Set-Off and Recoupment 4:329

Statute of Limitations in Tort Actions 11:205

Summary Judgment Nuances in Alabama 20:1

Summary Judgment Practice 7:493 Supreme Court Advisory Committee

on Practice and Procedure 4:210

Third Party Practice 2:421

Tort Reform: Proponent's Perspective 18:649

Venue in Alabama 9:767

Federal

Agent Orange Claims Not Covered by Federal Common Law 12:183 Appellate Fact Finding 12:365 Batson Applied to Civil Trials 22:49 Civil Rights 11:585

Class Actions

Defendant Class Suits as Means of Legal and Social Reform 13:453 Determination 1:1

Jurisdictional Amount 5:142 Notice 4:401

Collateral Estoppel 10:619 Commencement of Action 11:709 Constitutional Fact Doctrine 4:182

Defenses and Discovery in Tax Fraud Investigations 10:655

Discovery Abuse in the Civil Adversarv System 27:1107

Double Jeopardy and Civil Procedure 26:23

Due Process 9:523

Foreign Service of Process by Direct Mail Under Hague Convention

Habeas Corpus 9:391; 10:849; 14:1 Impleaded Defendant Within Ancillary Jurisdiction 8:965

International Litigation 7:233 Law of the Case in the Fifth Circuit

Mann Charge in the Fifth Circuit 9:129

Pendent Jurisdiction 7:481 Post-Judgment Discovery 9:473 Preserving Objections to Jurisdictional Flaws in Removal Cases 21:663

Pre-trial Discovery of "Editorial Process" 9:277

Quasi-Party in Guise of Amicus Curiae 7:293

Racism in Jury Selection 22:269 Rule 4(c)(2) and State Venue 5:150 State In Personam Jurisdiction 11:481 State Jurisdiction and Punitive

Damages in ERISA Claims 26:591 State Res Judicata 9:569

Transient Jurisdiction 21:337 Florida Joinder of Insurer with Insured 1:125

Jury Instructions in Civil Cases 27:1017

Quasi-In-Rem-Insurer's Duty to Defend 7:517

Removal, Remand, and Abstention Related to Bankruptcies 27:1037 Rule 11: Due Process Reconsidered

22:729

Videotape Depositions 9:195

CIVIL RIGHTS

Accreditation and Religious Discrimination 15:663

Affirmative Action in Job Promotions 17:205

Age Discrimination

ADEA Apprenticeship Exception 14:393

Generally 3:333

Aliens

Haitian Asylum 13:593

Section 1983 Prisoner Petitions 11:369

Americans With Disabilities Act Americans With Disabilities Act 21:629

Public Accommodations 24:281 Title I: Disabling the Disabled

Attorney Fee Enhancement in Civil Rights Cases: Eleventh Circuit and Alabama 20:767

Civil Rights Act of 1991 22:801 Culpability for Municipalities 19:617 Disparate Impact and the ADEA 27:1245

Disparate Impact in Title VII 19:631 **Employment Discrimination**

After-Acquired Evidence Doctrine vs. Employer Culpability 25:191. Class-Wide Back Pay 5:347

Invasion of Privacy as an Additional Action in Title VII Litigation

Pregnancy Classification in Disability Plan 8:271

Racial Classification 11:347 Review of Federal Employment Discrimination 6:405

Exhaustion of Remedies 12:391 42 U.S.C. § 1983 and Common-Law Torts 12:99

Functional Literacy Examination 10:863

Habeas Corpus 9:391; 14:1 Handicapped 10:423

Janet Reno on Civil Rights 27:381 Jury Pools and Voter Lists 15:555

Loss, Remembrance, and Responsibility 26:809

Municipal Liability Litigation 19:447 Peremptory Challenges 8:307

Discriminatorily Used in Criminal Case 23:755

Private College Required to Provide Interpreter for Deaf Student 8:977 Proposition 187 and Mere Rationality 26:1045

Racial Discrimination

Admissions Policies of Private Schools 7:527

At-Large Voting Dilution Claims 9:443

"Chutzpa" and Minority Voting Rights—Response to Senator Ervin 13:1

Ethnic Segregation by Religion and Race 26:515

Hopwood v. University of Texas: Affirmative Action From an Afrocentric Perspective 27:533

Jury Pools and Voter Lists 15:555 Leasing of Public Bay Bottom to Private Club 7:157

Loss, Remembrance, and Responsibility 26:809

Majority Black Districts as Challenges to American Nationalism 26:407

Neighborhood Schools 5:315 No Interference in Medical Decisions Regarding Handicapped

Infants 16:607 Racial Gerrymandering 26:313

Racial Quotas 8:283 School Desegregation 7:273

Seniority 10:47 Voting Rights Act (Senator Ervin) 12:261

Voting Rights in the Post-Shaw Era 26:287

Religious Discrimination

Accreditation and Religious Discrimination 15:663

Employment Under Title VII 3:497; 14:597

Ethnic Segregation by Religion and Race 26:515

Religion, Race, Segregation, and Districting 26:365

Retroactivity of 1991 Civil Rights Act 23:425

Section 1983 Claims, Defenses, and Remedies 15:571

Sex Discrimination

Actuarial Tables in Pension Plans 14:223

Alimony 6:589 Maternity 5:526

Probate Laws 11:671

Same-Gender Sexual Harassment 27:231

Title IX: Gender Diversity in Collegiate Athletics 27:397

States' Eleventh Amendment Immunity 10:223

The Difference That Difference Makes 19:467

CIVIL SERVICE

Judicial Review of Federal Employment Discrimination 6:405

CLASS ACTIONS

Alabama Task Force Report on Tobacco Litigation 27:575 Determination Under FRCP 23 1:1 Jurisdictional Amount 5:142 Magnuson-Moss 11:133 Notice Requirements 4:401 Section 1983 Claims, Defenses, and Remedies 15:571

CLAYTON ACT

Labor Injunctions 1:366 Standing 10:835

CLEAN WATER ACT

Citizen Suits 21:245

COLLATERAL ESTOPPEL

Double Jeopardy 1:355 Prior Equitable Determination and Right to Jury Trial 10:619

COLLECTIVE BARGAINING (See also Arbitration; Labor Law)

NLRB Practice 7:205 Strike in Violation of Agreement 1:366 Strike Misconduct Discharges 15:23

COLLEGES AND UNIVERSITIES

Academic Evaluation and Dismissal 13:475

Accreditation and Religious Discrimination 15:663 Autonomy and the Cumberland Law

Autonomy and the Cumberland Law Review 19:539 Deaf 8:977

Dormitory Rooms 2:229

Hateful Speech 27:91

Hopwood v. University of Texas: Affirmative Action From an Afrocentric Perspective 27:533

Myers-Briggs Type Indicator and Law School Performance 26:63

Professionalism and the Law School 19:309

Reply to Professor Ward 26:121 Response to Professor Randall 26:111

State Aid to Students Attending Sectarian Schools 4:620

State University Faculty Meetings 8:589

Title VII and Sectarian Institutions 14:597

Title IX: Gender Diversity in Collegiate Athletics 27:397

COMMERCIAL LAW (See also Negotiable Instruments; Secured Transactions)

Alabama Detinue Statute 4:602 Alabama's Mini-Code: A Risk 18:385 Article 9 Security Interest and a Statutory Landlord's Lien 13:97

Arbitration and the "Ouster Doctrine" 3:175

Breach of Implied Warranty 4:175; 4:658

Builder-Vendor Impliedly Warrants Fitness and Habitability 3:216 Catch-All Investment Contracts 14:135

Certificates of Title 9:581 Commercial Letter of Credit 4:134 Commercial Paper: Consumer Protec-

tion 1:291 Consumer Credit—Usury Restrictions

Consumer Protection in Alabama 5:404

Creditors' Remedies Under Article 6 of the U.C.C. 10:739 Defaulting Debtors 10:765

Defense of "Open and Obvious" Danger 7:561

Electronic Fund Transfers 10:441 Exculpatory Clauses 15:765

Failure of Notice in the Disposition of Collateral: Debtor and Creditor Rights Under the Alabama U.C.C. 14:181

Force-Placed Insurance Litigation for Lenders 26:537

Franchises 3:347

Fraudulent Conveyances 16:1 Fraudulent Transfers—Foreclosure Sales for Less Than Reasonably Equivalent Value 23:769

Good Faith 4:168

Insurance—Joinder of Insurer with Insured 1:125

International Sale of Goods 14:89 Joint and Survivorship Bank Accounts in Alabama 14:329

Leasing Coalbed Methane Gas Rights 15:703

Louisiana Sequestration Statute 5:136 Magnuson-Moss 8:205

Negotiability of Variable Rate Notes 22:745 Negotiable Instruments 2:266 Reaffirmation Agreements 12:431 Real Estate Transactions 14:301 Sale of Business Doctrine 14:559 Secured Transactions: Public Interest Versus Competing Claims 5:1 Statutory Regulation of Wage Assignment 5:322

Transferee of a Document of Title 9:27

Warehouseman's Liens 8:553

COMPELLING STATE INTEREST TEST

Accreditation and Religious Discrimination 15:663
Analysis 6:109
Damage Cap Legislation 18:759
Pentagon Papers Revisited 18:527
School Prayer: The Jaffree Case 15:125
Title VII and Sectarian Institutions of

Higher Education 14:597 Tort Reform: Proponent's Perspective 18:649

CONDITIONAL SALES

Equity Jurisdiction of Installment Sales 1:291 Statutory Regulation of Wage Assignment 5:322

CONDOMINIUMS

Real Estate Transactions: Existence of a Federal Security 14:301 Tax Aspects of Cooperative or Condominium Conversion 12:453

CONFLICT OF INTEREST

Alabama Ethics Act 5:183 Alabama Ethics Cases 10:317

CONFLICT OF LAWS

Considerations in Alabama 7:89

CONSOLIDATION AND MERGER

Breach of Fiduciary Duty in Bank Merger 7:135

CONSORTIUM

Consortium Causes of Action 15:179 Wife's Right to Recover 2:189; 2:464; 6:275

CONSTITUTIONAL LAW

Ability of "Life Advocate" to Impair Rejection of Medical Treatment 17:553

Abortion

Husband's Interest Regarding Spousal Notification Requirement 13:143

Legislation After Webster 20:71

Regulating Abortion Counseling of Publicly Funded Facilities 22:399 Rights of Father 4:594

Spousal and Parental Consent 7:539 Accused's Right to Self-Representa-

tion 6:703

Admission to the Bar (See category)
Affirmative Action in Job Promotions
17:905

Affirmative Action: Standard of Review for Benign Discrimination 20:847

AIDS-Infected Blood Donors 18:267 Alabama: A Jurisdiction out of Control? 27:973

Alabama's "Red Light" Abatement Act 10:593

Alabama's Statute of Limitations for Construction Litigation 11:1

Aliens 13:593 Amending the United States Constitu-

tion 21:271 Body Searches 18:233

Border Searches in the Fifth Circuit 8:107

Business-Political Expenditures Limits 9-881

Camping Ordinances and the Homeless 26:633

Catch-All Investment Contracts: Economic Realities 14:135

Citizenship: Voluntary Renunciation to Avoid Draft 3:206

Co-employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267

Commerce Clause

In-State Disposal of Out-of-State Waste 22:149

Comparative Constitutional Law 23:193

Compulsory Retirement at Age 65 3:333

Conflict of Interest—Alabama Ethics Act 5:183

Confrontation Clause Declarant Unavailability 23:237 Conscientious Objection 1:333; 8:1

Constitutional Definition of Religion 22:1

Constitutional Fact Doctrine 4:182 Constitutional Interpretation 18:1 Constitutional Tax Reform 15:474

Constitutionally Guaranteed Environ-

mental Rights 22:281

Corporal Punishment in Schools 7:169

Courts, Prisons and Prisoners 27:1173 Creation-Science in Louisiana 17:87 Criminal Law and Procedure (See category)

Cruel and Unusual Punishment "Double Celling" 12:727 Fleeing Felon Laws 15:89

Cyperspace and the Constitution 27:1 Damage Cap Legislation 18:759 Damage Limitations in Medical Malpractice Actions 17:569

Death-Qualified Juries Held Constitutional 17:257

Discrimination (See Civil Rights)
Double Jeopardy and the Rodney
King Case 26:1

Drug Paraphernalia Laws 13:273 Due Process

Administrative Hearings 3:279 Behavior Modification 4:1; 4:425 Child Protective Proceedings 2:247 Collateral Estoppel; Double Jeopar-

dy 1:355 Detinue 4:602

"Double Celling" 12:727 Double Jeopardy 5:369 Double Jeopardy and Civil

Procedure 26:23 Double Jeopardy and the Rodney King Case 26:1

Double Jeopardy After Rodney King 26:37

Due Process Clause 5:136; 9:523 Employers' Rights 4:634

Failure to Preserve Evidence and Bad Faith 20:211

Fleeing Felon Laws 15:89 Habeas Corpus 10:849; 14:1 Michigan No-Fault Automobile

Insurance Act 9:893
Mortgage Foreclosure 4:507

No State Duty to Protect Child from Abusive Parent 20:195

Parole Hearings 4:612 Peremptory Challenges: J.E.B. v. Alabama 25:355.

Peremptory Challenges Discriminatorily Used in Criminal Case 23:755

Prisoners' Rights 4:471; 22:215 Probation Revocation 4:612 Professor Amar's View of Double Jeopardy 26:17

Public School Equity Funding 25:133.

Release from Mental Hospital 3:517

Residency Requirement for Divorce 5:331

Revocation of Physician's License for Felony Conviction 8:295

Right to Counsel in Disciplinary Proceedings 9:751

Selective Abandonment of Dual Sovereignty 26:57

Social Psychology 4:1; 4:425 Wage Assignment 5:322 Wrongful Death and Double

Jeopardy 26:231 Equal Protection

Abortion 4:594

Bar Admissions 4:627

Batson Restrictions Apply to Civil Cases 20:395

Batson Applied to Civil Trials 22:49 Black Veniremen 8:307

Compelling State Interest 5:526 Compensation for Jury Duty 4:634

Discrimination (See Civil Rights) Eighth Amendment 4:471 Fleeing Felon Laws 15:89

Gender Preference Policies 23:219 Guest Statute 4:378

Land Use Control and Right to Travel 6:541

Males Only Draft Registration

Maternity Leave 5:526

Parole Hearings 4:612 Peremptory Challenges: J.E.B. v. Alabama 25:355

Peremptory Challenges Discriminatorily Used in Criminal Case 23:755

Prisoners' Rights 4:471; 22:215

Probation Revocation 4:612 Proposition 187 and Mere

Rationality 26:1045
Public School Equity Funding

25:133 Public School Financing 3:211

Racism in Jury Selection 22:269 Reapportionment 4:387

Residency Requirement for Divorce 5:331

Right to Travel 5:543 Separation of Church and State 4:620

State Aid to Sectarian Schools 4:620 State Use of Six-Man Jury 1:350; 5:339

Zoning 5:309 Establishment Clause

Federalism, Fundamental Fairness, and the Religion Clauses 25:247 High School Graduation Ceremony Invocation 23:445

Pregame Invocation 20:685

Sign Language Interpreter 24:587 Tax Exemption to Churches 1:345

Ten Commandments Display in County Courthouse 24:339

Expatriation—Renunciation of U.S. Citizenship 3:206

Fifth Amendment—Collateral Estoppel 1:355

Regulating Abortion Counseling of Publicly Funded Facilities 22:399 Firearm Owners' Protection Act

First Amendment: Hustler Magazine v. Falwell 19:19

Fleeing Felon Laws 15:89

Four Vote Certiorari Cases 16:419

Freedom of Expression Alabama's "Red Light" Abatement Act 10:593

Abortion Protestors 18:205 "Booth" Rule 12:693

Free Speech Outweighs Privacy Rights of Abortion Seekers 20:183

Hate Speech 23:411 Hateful Speech 27:91

Judge Posner on Scope of Free Speech Clause 21:225

Musical Compositions 23:499

Obscenity 7:585 Pin-ups in the Workplace 23:629

Public School Equity Funding 25:133 Regulation of Student Newspapers

18:181

Symbolic Speech 23:563 Freedom of Press

Editorial Discretion 13:397

Federalism—A Confrontation: New York Times v. Sullivan 18:111

Florida Right to Reply Statute 5:535 Journalists' Privilege 2:223

Minors' Access Laws 18:141 Newsworthiness Defense to Public

Disclosure of Private Facts 15:211 Public and Press Have Constitution-

al Right to Attend Trial 11:761 Regulation of Student Newspapers 18:181

Right of Access to Government News 5:124

Right of Publicity 14:347 Freedom of Religion

Accommodating Church and State 15:67

Accreditation and Religious Discrimination 15:663 "Booth" Rule 12:693 Conscientious Objection 1:333; 8:1

Creation-Science in Louisiana 17:87 Establishment Clause—Tax

Exemption to Churches 1:345

Federalism, Fundamental Fairness, and the Religion Clauses 25:247

Free Exercise of Religion 19:585 Law and Peace in a Changing

World 22:681

Peyote Use in Native American Religious Rituals 23:315

Protestants, Catholics, and "Free Exercise" 8:77

Public Theology 16:53

School Prayer: The Jaffree Case 15:125

Ten Commandments on Classroom Walls 12:197

Ten Commandments Display in County Courthouse 24:339

Textbooks, Judges, and Science 17:116

Title VII and Sectarian Institutions of Higher Education 14:597 Functional Literacy Examination as

Prerequisite to Receipt of High School Diploma 10:863

Guarantee Clause 16:477 Guest Statutes (See Negligence)

Guilty Pleas in Alabama 5:61 Hate Crime Statute and Sentence Enhancement 24:325

History 8:601

Home Instruction 16:179

Item Veto 22:769

Judicial Oversight of Sequestration 5:136

Juries

Defendant's Right to Waive Jury Trial in Felony Case 2:458

Jury Pools and Voter Lists 15:555 State Six-Man Jury 1:350; 5:339

Jury Trial

Denial to Youthful Offenders 6:491 Right to Trial by in Alabama 4:317

Juveniles

Delinquency Proceedings 1:360 Miranda Waiver Requisite 4:394

Legal Services 5:258

Legislative Veto 14:371

Limits of Original Intent 18:43

Living Will 10:163

Lower Court Interpretations of United States v. Miller and the Second Amendment 26:961

Modern Separation of Powers 18:69 Moral Order and Individual Liberty

Municipal Liability for Fourteenth

Amendment Violations 9:259

Neighborhood Schools as Means of Desegregation 5:315

Nuisance Abatement: Alabama's "Red Light" Abatement Act 10:593

Obscenity

Alternative Approach to Regulating Obscenity 24:131

Original Intentions 21:101

OSHA's Warrantless Inspection Provisions 9:287

Pentagon Papers Revisited 18:527

Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1

Political Aspects of "Original Intent" 17:877

Political Economy of the Separation of Powers 17:795

Political Patronage—Public Employees 11:735

Preemption—Cigarette-Label Health Warning 21:371

Pre-Trial Discovery of "Editorial Process" 9:277

Proposition 187 and Mere Rationality 26:1045

Public and Press Right to Attend Trial 11:761

Reapportionment—Population Variation in Districts 4:387

Replevin

Denial of Due Process 4:602 Louisiana Sequestration Statute 5:136

Restoration of the Extradition Clause 19:109

Right of Privacy (See Criminal Law and Procedure)

Right to Bail in Capital Cases 8:229 Right to Court-Appointed Counsel at Preliminary Hearing 1:116

Right to Choose Death 3:235; 13:117 Right to Die 3:235; 22:841

Right to Die 3:235; 22:841 Role of National Courts 18:95

School Prayer: The Jaffree Case 15:125

Search and Seizure (See Criminal Law and Procedure)

Second Amendment

Lower Court Interpretations of United States v. Miller and the Second Amendment 26:961

Section 1983 Claims, Defenses, and Remedies 15:571

Selective Abandonment of Dual Sovereignty 26:57

Selective Service Law (See Military Review)

Self-Incrimination—Compelling Sig-

nature of Consent Forms 16:165 Sex-Based Actuarial Tables in Pension Plans 14:223

Sexual Deviation and Florida Sodomy Statute 3:525

Social Security 3:279

State Claim of Sovereign Immunity in Courts of Another State 10:579

State Legislative Reapportionment 4:387

Sterilization of Mental Defectives 3:458

Student Rights and Discipline 1:195 Takings: A Message to the Alabama Legislature 25:117

Tenth Amendment Since United States v. Darby 27:445

Textbooks, Judges, and Science 17:116

Title VII

Actuarial Tables in Pension Plans 14:223

Bottom Line Analysis 13:707 Invasion of Privacy as an Additional Action in Title VII Litigation 15:239

Pin-ups in the Workplace 23:629 Sectarian Institutions of Higher Education 14:597

Tort Reform: Proponent's Perspective 18:649

Visa Denials on Ideological Grounds 17:139

Voting Rights

"Chutzpa" and Minority Voting Rights—Response to Senator Ervin 13:1

Critique of Shaw v. Reno and Miller v. Johnson 26:527

Ethnic Segregation by Religion and Race 26:515

Jury Pools and Voter Lists 15:555
Kiryas Joel and Shaw v. Reno 26:387
Majority Black Districts as

Majority Black Districts as Challenges to American National-

ism 26:407 Racial Gerrymandering 26:313 Religion, Race, Segregation, and

Districting 26:365
Shaw v. Reno and Miller v. Johnson

26:503 Voting Rights Act (Senator Ervin)

12:261 Voting Rights in the Post-Shaw Era 26:287

Write-in Voting 22:311 Warehouseman's Lien 8:553 Wrongful Death Damages 8:567 Wrongful Death and Double Jeopardy 26:231

CONSTRUCTION

Alabama's Statute of Limitations 11:1

CONSULS

United States Consul's Role in Civil Matters Concerning Seamen 6:559

CONSUMER PROTECTION (See also Food, Drug and Cosmetic Law; Liability; Negligence)

Advertising Prescription Drug Prices 6:711

Alabama Legislation 5:404 Drug Warnings to Physicians 15:540

Equity Jurisdiction of Installment Sales 1:291

Exculpatory Clauses 15:765 Expansion of Tort of Legal Fraud 18:633

Interest Rates—Usury Restrictions Repealed by Mini-Code 6:503 Magnuson-Moss 8:205; 11:133 National Retail Charge Account 2:234

Negotiable Instruments 2:266 Reaffirmation Agreements 12:431 Reliance Under SEC Rule 10b-5 9:721 Truth-In-Lending 7:255

Ultimate Consumer 10:835 Wage Assignment 5:322

CONTRACTS

Arbitration and "Ouster Doctrine" 3:175

Breach of Implied Warranty 4:175; 4:658

Builder-Vendor Warrants 3:216 Commercial Arbitration 2:175 Commercial Letter of Credit 4:134

County School Board 8:343 Discriminatory Admission Policies of Private Schools 7:527

Exculpation and Indemnification Agreements in Alabama 11:183 Exculpatory Clauses 15:765

Expansion of Tort of Legal Fraud 18:633

Government Contracts: A New Ethical Standard 20:421

Hospital's Immunity for Governental Function 1:135

Implied Contract in Patient-Physician Relationship 5:169

Insurance—Joinder of Insurer with Insured 1:125

Leasing Coalbed Methane Gas Rights 15:703

- Mental Anguish Arising from Breach of Warranty 22:417
- Misfeasance-Nonfeasance Dichotomy 7:355
- Property Owner as Third-Party Beneficiary 6:723
- Reaffirmation Agreements 12:431

CONTROLLED SUBSTANCES (See Food, Drug and Cosmetic Law; Harrison Act)

COOPERATIVES

Tax Aspects of Cooperative or Condominium Conversion 12:453

COPYRIGHT

- Computer Software Infringement Actions 22:135
- **Inherently Distinctive Product** Configurations Under § 43 of the Lanham Act 26:1071
- International Protection of Electronic Databases 27:17
- New Technology and the Rights Conveyed by Copyright License Agreements 25:433
- Promotional Contests 1:109
- Right of Publicity 14:347
- Sound Recording Law 11:447

CORPORATIONS

- Absolute Priority Rule in Corporate Reorganization 1:35
- Alabama Trade Secrets Act 18:557
- Cash Tender Offers 10:93 Catch-All Investment Contracts: Economic Realities 14:135
- Close Corporations
 - Alabama Business Corporation Act
 - Disregarding Corporate Entities in
 - Alabama 12:155 McCandless-Compensation Plan-
 - ning and Dividend Policy 6:1 Relationship of Directors to Creditors 1:209
- Co-Employee Lawsuits Under the Alabama Workmen's Compensation
- Acts 14:267 Corporate Campaign Funding 4:544
- Corporate Counsel on Board of Directors 10:791
- Corporate Opportunity 8:941 Domestic International Sales Corporation 3:411
- Expenditures to Influence Public Opinion 9:881

- Failure of Notice in the Disposition of Collateral: Debtor and Creditor Rights 14:181
- Fiduciary Duty 10:253
- Fraud
 - Purchaser-Seller Requirements
 - Security Dealings: State of Mind Requirements 4:94
- General Practitioners' Duty to Refer an Estate Planning Client to a Specialist 14:103
- Going Private 6:141
- Leasing Coalbed Methane Gas Rights 15:703
- Municipal Tort Immunity 2:437
- Net Operating Loss Carryovers 8:147
- Sale of Business Doctrine 14:559
- Section 302 Redemptions 11:553
- Securities—§ 16(b)—Extension of the "Pragmatic Test" 4:650
- Successor Liability 10:633
- Taxation
 - Accumulated Earnings Tax 9:71
 - Corporate Acquisitions 15:143
 - **Domestic International Sales** Corp.—50% Tax Deferment 3:411
 - Home Office Deductions:
 - § 280A(c)(1) 13:195
 - I.R.S. Criminal Tax Investigations 12:233
 - IRS Tax Liens 18:581
 - Land Trust Alternative 19:241
 - **Investment Incentives for Business**
 - Taxpayers 13:329
 - Investment Tax Credits 15:411
 - Leasebacks 15:430
 - Net Operating Loss Carryovers
 - 8:147; 8:331
 - One Class of Stock Requirement 14:439
 - Section 302 Redemptions 11:553
 - Treasury Regulation § 1.385-
 - Structuring Debt of a Closely
 - Held Corporation 12:139
- TEFRA, Deferred Compensation and the Choice of the Business Status 14:517
- Williams Act 2:402

COSTS (See also Fees)

Court Costs in Alabama 6:431

COURTS

- Additur and Remittitur 3:150
- Alabama Appellate Process 5:451
- Alabama Tort Reform '87 18:281
- Catch-All Investment Contracts: Eco-

nomic Realities 14:135

Certifications—Federalism in Action 7:455

Co-Employee Lawsuits under the Alabama Workmen's Compensation Acts 14:267

Conservative Jurisprudence 19:497 Damage Cap Legislation 18:759

Due Process 9:523

Eleventh Circuit Judges 12:339 Fact Finding by Appellate Courts

12:365 Federal Speedy Trial Act 8:905 Four Vote Certiorari Cases 16:419

Freedom of Judges 2:145 Impleaded Third-Party Defendant Within Ancillary Jurisdiction 8:965 Injunctions in Labor Disputes 3:226

Judicial Dialectics 19:97 Judicial Reform in Alabama 4:41 Jurisdiction, Pendent 7:481

Law of the Case Doctrine in Fifth Circuit 8:461

Parens Patriae in Surgical Procedures 5:163

Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1

Recusement and Replacement of State Supreme Court Justices 3:133 Reorganization Act of 1980—Fifth

Circuit Court of Appeals 11:597
Right to Jury Trial in Alabama 4:317
Right to Treatment for Juvenile Offenders 7:13

Role of National Courts 18:95 Sale of Business Doctrine 14:559 School Prayer: The *Jaffree* Case 15:125 Section 1983 Claims, Defenses, and Remedies 15:571

State Court as Forum for Securities Action 9:663

State Jurisdiction and Punitive Damages in ERISA Claims 26:591 State of the Federal Judiciary in the Fifth Circuit 8:441

Summary Judgment Practice in Alabama 7:493

Taxation: Standard of Review of Characterization of Gains 14:643 Tort Reform: Proponent's Perspective

18:649

COURTS-MARTIAL

Jurisdiction over Civil Crimes 1:268

CRIMINAL LAW AND PROCEDURE (See also Actions and Defenses; Civil Procedure; Self-Incrimination; Sentencing)

Border Searches 8:107 Chilling Effects in Trial Procedure

Comments on Lawrence M. Friedman—Morris 27:927

Community 7:393

Conviction by a Nonunanimous Six-Member Jury 10:605

Courts, Legislatures and History 27:941

Courts, Prisons and Prisoners 27:1173 Criminal Act Injuring Multiple Persons as Single Offense 16:85

Death-Qualified Juries Held Constitutional 17:257

Defense of Entrapment 13:373 Dilemmas and Methodologies of Academic Political Liberalism: Response to Friedman 27:959

Dismissal of Former Fugitive's Appeals 24:177

Double Jeopardy and the Rodney King Case 26:1

Drug Paraphernalia Laws 13:273 Enigma of Crime 27:951 Exclusionary Rule 21:351

Federal Prosecutor's Role in Fighting Political Corruption 8:385

Fleeing Felon Laws 15:89 Guilty Pleas in Alabama 5:61 Habeas Corpus 3:517; 10:849; 14:1

Homosexuality 3:525 Inconsistent Defenses 19:435

Indigent Defendant 4:642 Jury

Denial to Youthful Offenders 6:491 Jury Pools and Voter Lists 15:555 Right to Trial by in Alabama 4:317 Right to Waive in Felony Case 2:458 Juveniles

Right to Treatment 7:13 Miranda Waiver 4:394

Law of Shoplifting 19:43 Life Imprisonment upon Third Felony Conviction 11:723

Mann Charge in Fifth Circuit 9:129 Misdemeanor Cases 8:355

Moral Order and Individual Liberty 16:555

Murder Convictions for DUIs 8:477 Omnibus Crime Control Act 9:893 Past and Present in Criminal Justice

Policy 27:903 Plea Bargaining: Primer for Defense Counsel 9:1

- Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1
- Post-Hypnosis Evidence 18:459 Prejudice Presumed and Reversal Automatic when Joint Representation Required After Denial of Timely Motion for Separate Counsel 9:591
- Probation Revocation Sanctions 18:437
- Punishment
 - Sanction 25:489
 - Punishment in the Divine Comedy, 95.533
- Rape
- Forcible Compulsion 23:253
- Response to Lawrence M. Friedman—Bell 27:935
- Right to Bail in Capital Cases 8:229
- Right to Counsel
- Argersinger v. Hamlin 7:377
- Fifth Circuit 7:467
- Preliminary Hearing 1:116
- Right to Privacy No Reasonable Expectation of
- Privacy in Police Car 24:147
- Search and Seizure 10:237 Search and Seizure—Investigating
- Narcotics Offenses at Permanent Checkpoints 21:38
- Search of Person After Full Custody Arrest 5:130
- Securities Fraud 13:415
- Sentencing 8:403
- Silence Not Admissible Against a Criminal Defendant 21:151
- Tax Investigations of Corporations 12:233
- Waiver by Wife of Husband's Fourth Amendment Protection 1:121
- Warrantless Search of Containers
- Within Automobiles 22:371 Warrantless Searches of Dormitory
- Rooms 2:229
- Welfare Fraud 8:683 Withdrawal of Treatment and Homicide 15:225

CRUEL AND UNUSUAL PUNISH-MENT

- Corporal Punishment in Public School 7:169
- "Double Celling" 12:727
- Fleeing Felon Laws 15:89
- Life Imprisonment upon Third Felony Conviction 11:723

- CUMBERLAND LAW SCHOOL
- Autonomy and the Cumberland Law Review 19:539
- Commemoration of the 150th Anniversary of the Cumberland School of Law 27:861
- Decade of the Seventies 11:251
- Memoir of a Book: Writing the History of Cumberland 27:1203
 - D
- DAMAGES (See also Consumer Protection; Food, Drug and Cosmetic Law; Liability Negligence; Torts)
- Additur and Remittitur 3:150
- Alabama Tort Reform '87 18:281
- Anti-Trust Policy 7:413
- Arbitration—"Ouster Doctrine" 3:175
- Cancerphobia 15:723
- Civil Punishment and Tort Reform in Alabama 20:47
- Co-Employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267
- Damage Cap Legislation 18:759
- Drug Warnings to Physicians 15:540 Eminent Domain—Enhanced Value
- 2:469 Emotional Distress
 - First Amendment: Hustler Magazine v. Falwell 19:19
 - Intentional Infliction 12:525
 - Negligent Infliction of Emotional
 - Distress 15:519

 Tarrasoff Duty to Control Mental Pa-
- tients 14:165 Evidence of Failure to Wear Seat
- Belts in Mitigation 1:392
- Exculpatory Clauses 15:765
 Expert Economic Testimony on Infla-
- tionary Effect 6:733 Future Inflation 5:72
- Limitations on Punitive Damages
- 24:353
- Mental Anguish Arising from Breach of Warranty 22:417
- New Business Rule 17:239 New Trial on Basis of Inadequate
- Punitive Damages 16:151
- Parental Consortium 18:473
- Pharmacist's Negligent Dispensation of Birth Control Pills 3:220
- Physician's Breach of Confidentiality 5:169
- Pre-Judgment Interest 8:521
- Punitive Damages 6:267; 8:567; 8:607; 9:481; 10:847; 16.151; 26:591;

26:1005

Punitive Damages in Alabama 22:255; 26:1005

Section 1983 Claims, Defenses, and Remedies 15:571

State Jurisdiction and Punitive Damages in ERISA Claims 26:591 Taxability 3:164

Taxation of Alabama's Wrongful Death Damages 17:53

Tort Reform: Proponent's Perspective 18:649

Warsaw Convention 8:763

Wife's Right for Loss of Consortium 2:189; 2:464; 6:275

Wrongful Death Damages 15:745 Wrongful Death and Double Jeopardy 26:231

DEBTOR AND CREDITOR (See Commercial Law)

DEEDS

Boundary Line Disputes 3:70 Construction of "Offspring" 2:486 Divorce 2:241 Exclusionary Zoning 4:105

DETINUE

Statute, Constitutionality of 4:602

DISCOVERY

Alabama Rules 4:262 Discovery Abuse in the Civil Adversary System 27:1107 Information from I.R.S. 12:303 International Litigation 7:233

DISCRIMINATION (See Civil Rights)

DIVIDENDS

"Automatic Dividend" Rule 6:1

DOMESTIC RELATIONS

Abortion—Rights of Father 4:594; 13:143

Adoption and Putative Fathers 15:499 Alabama's Treatment of Succession to Parental Property by Illegitimates

Consortium—Wife's Right of Recovery 2:189; 2:464; 6:275

Consortium Causes of Action 15:179 Divorce, Separation, and Child Sup-

port Taxation 15:341 Due Process and Child Protective Proceedings 2:247 Grandparental Rights 15:161 Incompatibility and Irretrievable Breakdown 3:434 Intrafamily Tort Liability 5:273 Marital Privacy 16:229 Marital Privilege 7:177 Married Persons' Real Property

Rights 10:509

Orr v. Orr 10:531

Privilege Regarding Non-Confidential Marital Testimony 11:465 Residency Requirements for Divorce

5:331

Survivorship Deeds 2:241 Tax Aspects of Separation and Divorce 10:695

Taxing Alimony and Child Care Payments 9:177

Tender Years Presumption in Child Custody Cases 12:513

Unemancipated Minor's Right to Sue Estate of Deceased Parent 2:496

DOUBLE JEOPARDY

Collateral Estoppel 1:355

Double Jeopardy and Civil Procedure 26:23

Double Jeopardy and the Rodney

Double Jeopardy and the Rodney King Case 26:1

Double Jeopardy After Rodney King 26:37

Political Perspectives 5:369 Professor Amar's View of Double Jeopardy 26:17

Selective Abandonment of Dual Sovereignty 26:57 Wrongful Death and Double Jeopardy

26:231 DOWER

Alabama 6:611

DRUG PARAPHERNALIA

Drug Paraphernalia Laws 13:273

DRUGS (See Food, Drug and Cosmetic Law; Harrison Act)

DUE PROCESS (See Constitutional Law)

E

EASTERN EUROPE

Legal Systems in Transition: New Directions for Eastern Europe—The Fourth Annual Federalist Society Lawyers Convention Symposium 21:427

EDUCATION (See also Colleges and Universities; Schools and School Districts)

Comment on The Lost Lawyer's Legal Education 26:843

Experience and Legal Education 26:751

Home Instruction 16:179

Legal Education and Cynicism about the Law 25:1

Myers-Briggs Type Indicator and Law School Performance 26:63 Public School Equity Funding 25:133 Relevance of Legal Education 17:831 Reply to Professor Ward 26:121 Response to Professor Randall 26:111

Teaching Law to Passive Learners 26:943

ELECTIONS

Corporate Campaign Funding 4:544 State Legislative Reapportionment 4:387

Student Voting: Domicile Requirement 3:474

ELEVENTH CIRCUIT

Survey of Recent Decisions 20:871; 21:680; 22:855; 23:783; 24:615; 25:753; 26:1101; 27:1311

EMIGRATION AND IMMIGRATION

Border Searches in the Fifth Circuit 8:107

Haitian Refugee Cases 23:687 Naturalization 7:211

EMINENT DOMAIN

Recovery for Enhanced Value 2:469

EMPLOYMENT

Actuarial Tables in Pension Plans 14:223

ADEA Apprenticeship Exception 14:393

Affirmative Action in Job Promotions 17:205

Aggregate Theory of Partnerships Used to Deny Employee's Insurance Recovery 8:991

Discrimination

After-Acquired Evidence Doctrine vs. Employer Culpability 25:191 Americans With Disabilities Act:

Americans With Disabilities Act: Disabling the Disabled 25:715 Class-Wide Back Pay 5:347

Disparate Impact and the ADEA 27:1245

Disparate Impact in Title VII 19:631 Judicial Review of Federal Employment Discrimination 6:405 Maternity 5:526

Section 1985(3) Employment Discrimination Litigation 12:561

Statute of Limitations for § 1981 Claim 6:527

Employee's Right to Enjoin Smoking in Office 8:579

Employment at Will: 19:373

Insurance

Recovery by Employees Against Employer's General Liability Insurer 3:532

National Labor Relations Act Wright Line, Burden of Proof in Dual Motive Cases Under § 8(a)(3) 13:239

Parameters of Employment-at-Will 16:377

Pregnancy Classification in Employee Disability Plan 8:271

Public Employee Strikes 11:315 Same-Gender Sexual Harassment 27:231

Strike Misconduct Discharges 15:23 Title VII

Bottom Line Analysis 13:639 Invasion of Privacy as an Additional Action in Title VII Litigation 15:239

Sectarian Institutions of Higher Education 14:597

Weingarten: Rights of Employee Representation under § 7 of the Labor Management Relations Act 11:421

ENDANGERED SPECIES ACT

Endangered Species Act 24:1

ENVIRONMENTAL LAW

Alabama Environmental Laws Affecting Business and Real Estate 20:599 Citizen Suits Under the Clean Water Act 21:245

Constitutionally Guaranteed Environmental Rights 22:281

Endangered Species Act 24:1

Ethics in Environmental Law 27:1217 Federal Law on Water Pollution 8:731 Hazardous Waste Cleanup Laws

18:723

Municipality's Growth Restriction Plan 5:543

NEPA and the Endangered Species Act 27:753

Stream Modification 8:21

Takings: A Message to the Alabama Legislature 25:117

EQUAL PROTECTION (See Constitutional Law)

EQUITY

Equity Jurisdiction of Installment Sales 1:291 Third Party Practice 2:421

ERISA

Fiduciary Duties Under ERISA 19:131 State Health Care Laws and ERISA Preemption 25:383 State Jurisdiction and Punitive Damages in ERISA Claims 26:591

ESTATE PLANNING

Charitable Gift of Life Insurance 22:299

Common-Law Joint Tenancy under Alabama Code 4:190

Divorce and Survivorship Deeds 2:241 Educational Planning 15:371

Estate Planning with Recapitalizations 12:1

Federal Estate Tax—Inter Vivos Trust Corpus Not in Gross Estate 2:490

General Practitioners' Duty to Refer Estate Planning Client to Specialist 14:103

Geriatric Psychiatry and Testamentary Capacity 3:322

Incidents of Ownership Under § 2042 8:703

"Incorporation of Trust Powers by Reference" Act 4:563

Irrevocable Life Insurance Trusts 12:283 Planning Estate Distributions In Kind

11:531 Privity in Estate Planning Malpractice

Actions 17:1 Proposed Revision—Alabama Probate Code 12:549

Small Estate Law for Alabama 4:440 Uniform Probate Code 2:1 Will Revocation Statutes 8:175

ESTATE TAX (See Inheritance, Estate and Gift Taxes)

ETHICS (See also Situation Ethics)

Alabama Ethics Act 5:183 Alabama Ethics Cases 10:317 Attorney Fees: What is a Lawyer Really Worth? 25:25 Attorney's Publication of Non-Fee Information 8:321 Constitutional Tax Reform 15:474 Discipline, Removal, or Exoneration of Alabama Jurists 5:214

Duty to Provide Legal Services for the Poor 5:258

Ethics in Environmental Law 27:1217 Government Contracts: A New Ethical Standard 20:421

IRC § 6050I: Congressional Infringement on Inherent Power of the Judicial Branch 25:169

Lawyer Image and the Scope of Professionalism 26:919

Lawyer-Statesman Ideal and Good Judgment in Today's Law Firm 26:923

Legal Education and Cynicism about the Law 25:1 Professionalism and the Law School

19:309 Right to Choose Death 13:117

Right to Die 3:235; 22:841 Rule 11: Due Process Reconsidered 22:729

22:729 Senate Code of Conduct 8:357 Should Anencephalic Infants Die to Serve Noble Goals? 27:1279

Situation Ethics, Law, and Watergate 6:35

Socio-Ethical Obligations 5:237 Tax Shelter Opinions After TEFRA, Circular 230, and ABA Formal Opinion 346 14:493

Withdrawal of Treatment and Homicide 15:225

EUTHANASIA

Right to Choose Death 13:117 Right to Die 3:235; 22:841 Withdrawal of Treatment and Homicide 15:225

EVIDENCE (See also Expert Witnesses; Witnesses)

Admissibility of Expert Testimony on Ultimate Issue 21:137 Bite Mark Evidence 16:127 Burden of Proof on Plaintiff in Second Collision 7:571 Cacotheism and the False Witness

19:75
Confrontation Clause
Declarant Unavailability 23:237
Defendant's Liability Insurance 6:123
Exclusionary Rule 21:351
Expert Economic Testimony on Infla-

tion 6:733

Failure to Preserve Evidence and Bad Faith 20:211

Federal Rule of Evidence 407 13:675 Georgia Exception to Hearsay Rule 9:917

Hearsay Handbook 7:209

I.R.S. 12:303

International Litigation 7:233

Marital Privilege 7:177; 7:307

Medical Malpractice—Locality Rule Abandoned and Practitioner Held to National Medical Standard of Care 14:251

Oath or Affirmation to Establish Competency 22:163

Plaintiff's Failure to Wear Seat Belt

Post-Hypnosis Evidence 18:459

Privilege Regarding Non-Confidential Marital Testimony 11:465

Scintilla Rule 4:75

Silence Not Admissible Against a Criminal Defendant 21:151

Social Security Appeals Process 3:279 State Supreme Court Power to Make Rules of Evidence 25:331

Substantive Use of Prior Inconsistent Statements 22:175

Uncharged Conduct 19:409

Witness' Use of Memoranda 6:471

EXECUTORS AND ADMINISTRA-TORS

Attorney's Fees 2:505

F

FAIR TRIAL

Televised Trial 7:323

FAMILY LAW (See Domestic Relations)

FEDERAL CIVIL PROCEDURE (See Civil Procedure)

FEDERAL COURTS (See Courts)

FEDERAL EMPLOYERS LIABILITY ACT

Hearing Loss Actions Under FELA 24:113

FEDERAL TORT CLAIMS ACT (See also Governmental Immunity and Liability)

Discretionary Function Exemption

2:383; 13:535

FEDERAL TRADE COMMISSION

Flammable Fabrics Act of 1953 4:358

FEDERALISM

America's Federalism 18:131 Catch-All Investment Contracts: Eco-

nomic Realities 14:135

Certification 7:455

Constitutional Tax Reform 15:474

Federalism—A Confrontation: New York Times v. Sullivan 18:111

Federalism: Restoring the Balance 18:125

Removal, Remand, and Abstention

Related to Bankruptcies 27:1037

Role of National Courts 18:95 School Prayer: The *Jaffree* Case 15:125

Section 1983 Claims, Defenses, and Remedies 15:571

FEES (See also Costs)

Attorney Fees: What is a Lawyer Really Worth? 25:25

Attorney Fees in Defense of Will 2:505

Award of Attorneys' Fees in Absence of Statute 10:359

Award of Attorneys' Fees from Entire Common Fund in Class Action 11:501

Fee Shifting Under Private Attorney General Doctrine 6:481

Minimum Fee Schedules 5:301 Prepaid Legal Services 6:639

FINANCE (See Loans)

FLAMMABLE SUBSTANCES

Flammable Fabrics Act of 1953 4:358

FOOD, DRUG AND COSMETIC LAW (See also Consumer Protection; Harrison Act; Liability; Negligence)

Caffeine Regulation in the United States 27:65

Drug Abuse Control: Prescribing Controlled Substance Drugs 6:331 Drug Warnings to Physicians 15:540

Pharmacist's Liability for Negligent Dispensation of Birth Control Pills 3:220

FRANCHISING

Cable Television Franchising 21:43 Full Disclosure 5:501 Remedies Under the U.C.C. 3:347

FREEDOM OF THE PRESS

Federalism—A Confrontation: New York Times v. Sullivan 18:111
Florida Right to Reply Statute 5:535
Journalists' Privilege 2:223
Minors' Access Laws 18:141
Newsworthiness Defense to Public
Disclosure of Private Facts 15:211
Pentagon Papers Revisited 18:527

Pre-Trial Discovery of "Editorial Process" 9:277 Public and Press Right to Attend Trial

11:761 Regulation of Student Newspapers 18:181

Right of Access to News of Government 5:124

Search Warrant 9:869

G

GERONTOLOGY (See Aged)

GOVERNMENT IMMUNITY AND LIABILITY (See also Federal Tort Claims Act)

Agency Immunity and Officer Liability 14:45 Alabama Tort Reform '87 18:281 County School Board 8:343 Culpability for Municipalities 19:617

Culpability for Municipalities 19:617 Fleeing Felon Laws 15:89 Hearing Loss Actions Under FELA

24:113 Hospital Performing Government Function 1:135

Municipal Liability for Fourteenth Amendment Violations 9:259 Municipal Liability Litigation 19:447 Municipal Tort Immunity 2:437 Municipality Liable for Failure to

Prevent Vicious Dogs from Roaming Streets 5:175 Personal Liability and Strikes 18:511

Section 1983 Claims, Defenses, and Remedies 15:571 State's Claim of Sovereign Immunity

in Court of Another State 10:579
State's Eleventh Amendment Immunity Under 42 U.S.C. § 1983 10:223
Waiver of Sovereign Immunity 19:393

GUEST RULES AND STATUTES (See Negligence)

H

HABEAS CORPUS

tal 3:517

Debunking the Ancient Writ 14:1 Due Process and Evidence 10:849 Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1 Reform 6:363 Role of National Courts 18:95 Superintendent's Certificate Requisite Prior to Release from Mental Hospi-

HANDICAPPED (See also Civil Rights)

28 U.S.C. § 2254 9:391

Americans With Disabilities Act 21:629 Future of § 504 in the Fifth Circuit 10:423

HARRISON ACT (See also Food, Drug and Cosmetic Law)

Drug Abuse Control 6:331

HEALTH CARE

Ability of "Life Advocate" to Impair Rejection of Medical Treatment 17:553

Alternative Delivery Systems 17:357 Antitrust Law and Health Care Delivery Systems 9:685

"Any Willing Provider" Legislation 27:199

Competition in Health Care Delivery 17:293

ERISA Preemption of State Health Care Laws 25:383

Free Exercise of Religion 19:585 Health Care for Elderly Patients 17:437

Health Needs of the Aging 17:469 Informed Consent: Alabama's Proximate Cause Standard 17:519

Liability of Managed Care Organizations After *Dukes v. U.S. Healthcare* 27:681

Malpractice and Health Care Delivery 17:313

Medical Survey—Recent Legal Developments 17:533

Medicare: Prospective Payment 17:417 Physicians' Liability for Injuries to Nonpatients 17:505

Problems with the Corporate Practice Doctrine 17:485

Prospective Payment for Hospital

Services 17:379 Selective Non-Treatment of Severely Handicapped Neonates 25:631

HEARSAY

Georgia Exception to Hearsay Rule 2:217 Handbook 7:209

HOSPITALS

Cancerphobia 15:723
Duty to Control Mental Patients
14:165
Hospital Performing Government
Function 1:135
Informed Consent 14:237
Informed Consent: Alabama's Proximate Cause Standard 17:519
Medical Malpractice—Locality Rule
Abandoned and Practitioner Held
to National Medical Standard of
Care 14:251
Nonprofit Hospital Mergers: Caution

Needed 20:717 Physician Credentialing—Sherman Act 18:419 Physician Liability in Alabama 15:631

Physician Liability in Alabama 15:631 Prospective Payment for Hospital Services 17:379

HOUSING

Affordable Housing Statutes 23:197 Presidential Fair Housing Policies 8:619

HUMAN RIGHTS

Cultural Sovereignty, Islam, and Human Rights—Toward a Communitarian Revision 25:651 International Protection of Electronic Databases 27:17

HUSBAND AND WIFE (See Domestic Relations)

Adoption and Putative Fathers 15:499
Consortium Causes of Action 15:179
Husband's Interest Regarding Spousal
Notification Requirement to Procure Abortion 13:143
Marital Privacy 16:229
On v. On 10:531
Privilege Regarding Non-Confidential
Marital Testimony 11:465
Unified Credit 16:517
Waiver by Wife of Husband's Fourth
Amendment Protection 1:121

I

IMMIGRATION (See also Emigration and Immigration)

Border Searches in Fifth Circuit 8:107 Discrimination against Haitian Aliens Seeking Asylum 13:593 Haitian Refugee Cases 23:687 Naturalization 7:211 Proposition 187 and Mere Rationality 26:1045

IMMUNITY (See alphabetically by subject)

IMPEACHMENT

Alabama Jurists 5:214

INHERITANCE, ESTATE, AND GIFT TAXES

Charitable Gift of Life Insurance 22:299
Educational Planning 15:371
Estate Tax Apportionment and Non-Probate Assets 21:1
Inter Vivos Trust Corpus Not Includible in Gross Estate 2:490
Irrevocable Life Insurance Trusts 12:282
Ownership Under 8 2042 8:703

Ownership Under § 2042 8:703 Right of Publicity: Descendible and Inheritable Property Right 14:347 Wrongful Death Damages 15:745

INJUNCTIONS

Abortion Protestors 18:205 Alabama's "Red Light" Abatement Act 10:593 Alabama Trade Secrets Act 18:557

Employee's Right to Enjoin Smoking in Office 8:579

NLRB Regional Director's Discretion to Petition for Injunction Against Union 3:226

Protecting Final Judgments: Overview of Injunctive Relief 20:227 Role of National Courts 18:95

INSANITY

Habeas Corpus—Requirement of Certificate Prior to Release from Mental Hospital 3:517

INSTALLMENT SALES (See Commercial Law; Conditional Sales)

INSURANCE

Actuarial Tables in Pension Plans

14:223

Aggregate Theory of Partnerships Used to Deny Employee's Insurance Recovery 8:991

Alabama Tort Reform '87 18:281

Alabama Uninsured Motorist Coverage Exclusions 20:267

Bad Faith 8:241

Bad Faith Refusal to Pay 22:349

Credit Life Insurance after McCullar v. Universal Underwriters Life

Insurance Company 27:719 Damage Cap Legislation 18:759

Defendant's Liability Insurance 6:123 Duty to Defend 7:517

Federal Securities Regulation 1:14; 9:227

Force-Placed Insurance Litigation for Lenders 26:537

Fraud in Insurance Contract Litigation 16:447

Guaranty Association Law in Alabama 20:321

Insurer's Rights and Duties Where Coverage Under a Liability Policy Is Questionable 27:31

Joinder of Insurer with Insured 1:125 Negligent Safety Inspection 3:118 No-Fault Automobile Insurance 9:909 "Other Insurance" Clause 3:191;

"Other Insurance" Clause 3:191; 3:200 Physical Contact as Condition to

Recovery Under Hit-And-Run Policy 5:155 Punitive Damages and Liability Insur-

ance 9:481 Recovery by Employees Against Employer's General Liability Insurer 3:532

Self Insurance—Products Liability
Insurance Tax Equity Act of 1977

Sinkhole Law—Burden of Proof 16:407

Taxation

Irrevocable Life Insurance Trusts 12:283

Self-Insurance—Products Liability Insurance Tax Equity Act of 1977 9:831

Universal Life 13:219; 13:499 Tort Reform: Proponent's Perspective

Uninsured Motorist Coverage 5:106 Universal Life

New Concepts in Life Insurance Planning 13:219

Product Development and Tax Aspects 13:499

INTELLECTUAL PROPERTY

Copyright

Computer Software Infringement Actions 22:135

New Technology and the Rights Conveyed by Copyright License Agreements 25:433

Promotional Contests 1:109 Right of Publicity 14:347 Sound Recording Law 11:447

Inherently Distinctive Product Configurations Under § 43 of the Lanham Act 26:1071

International Protection of Electronic Databases 27:17

Patents

Alabama Trade Secrets Act 18:557 Limited Patenting of Computer Programs 16:27

Registration System 4:409

Trademarks

Color as a Trademark 24:299

INTERNATIONAL LAW

Cultural Sovereignty, Islam, and Human Rights—Toward a Communitarian Revision 25:651 International Protection of Electronic

Databases 27:17

International Sale of Goods 14:89 Law and Peace in a Changing World 22:681

Legal Systems in Transition: New Directions for Eastern Europe—The Fourth Annual Federalist Society Lawyers Convention Symposium 21:427

Obtaining Evidence in International Litigation 7:233

Shared Expectations in Outer Space 18:679

Space Debris 17:167 Warsaw Convention 8:763

INTERNATIONAL TRADE

Breaching the Tariff Wall 9:631 Development of a Law for the International Sale of Goods 14:89

Domestic International Sales Corporations 3:411

Extraterritorial Securities Regulation 16:207

J

JOURNALISTS (See Freedom of the Press)

JUDGES

Cardozo: "All-time Greatest" 19:1 Cardozo: Study in Reputation 21:215 Catch-All Investment Contracts: Economic Realities 14:135 Conservative Jurisprudence 19:497 Discipline, Removal, or Exoneration of Alabama Jurists 5:214 Eleventh Circuit 12:339

Freedom of Judges 2:145 Judges as Representatives Under Voting Rights Act 22:331 Judging the Judges 6:755 Judicial Dialectics 19:97

Judicial Reform in Alabama 4:41 Law of the Case Doctrine in Fifth Circuit 8:461

Lower Court Interpretations of *United*States v. Miller and the Second
Amendment 26:961
Recusement and Replacement of

Supreme Court Justices 3:133 Role of National Courts 18:95 Sentencing Patterns in Northern District of Alabama 5:88

Standard for Disqualification for Bias 7:185 State of the Federal Judiciary in the

Fifth Circuit 8:441
Tribute to Chief Justice Howell T.
Heflin 7:381

JUDGMENTS

Additur and Remittitur 3:150
Alabama Tort Reform '87 18:281
Damage Cap Legislation 18:759
Default Judgment 1:337
Pre-Judgment Interest 8:521
Protecting Final Judgments: Overview of Injunctive Relief 20:227
Tort Reform: Proponent's Perspective 18:649

JUDICIAL REFORM

Alabama, generally 4:41 Alabama Appellate Process 5:451 Discipline, Removal, or Exoneration of Jurists 5:214 Fact Finding by Appellate Courts 12:365

Recusement and Replacement of Supreme Court Justices 3:133 Role of National Courts 18:95 Standard for Disqualification for Bias 7:185

JUDICIAL REVIEW

Catch-All Investment Contracts: Eco-

nomic Realities 14:135 Constitutional Tax Reform 15:474 Fact Finding by Appellate Courts 12:365 Federal Employment Discrimination 6:405 Law of the Case Doctrine in the Fifth

Circuit 8:461 School Prayer: The *Jaffree* Case 15:125

JURIES

Batson Restrictions Apply to Civil Cases 20:395

Conviction by a Non-Unanimous Six-Member Jury in a State Criminal Trial for a Non-Petty Offense 10:605

Death-Qualified Juries Held Constitutional 17:257

Denial Under Alabama Youthful Offender Act 6:491

Employee Compensation by Employer for Wages Lost During Jury Service 4:634

Exclusion of Black Veniremen Through Peremptory Challenges 8:307

Jury Instructions in Civil Cases 27:1017

Jury Pools and Voter Lists 15:555 Jury Trials and § 17a(2) of the Bankruptcy Act 9:457

Jury Trials in Bankruptcy Court— Granfinanciera 24:79

Mann Charges in the Fifth Circuit 9:129

Peremptory Challenges: J.E.B. v. Alabama 25:355

Right of Defendant to Waive Jury Trial in Felony Case 2:458 Right to Jury Trial in Alabama 4:317 Sponsorship Strategy: Evidentiary Tactics For Winning Jury Trials

State Use of Six-Man Jury 1:350; 5:339

JURISDICTION

21:423

Attachment in Federal Courts 5:150 Extraterritorial Securities Regulation 16:207

16:207

Fixed Rate Doctrine and the Doctrine of Primary Jurisdiction 20:659

Impleaded Third Party Defendant Within Ancillary Jurisdiction 8:965

Jurisdictional Amount—Class Action

Suits 5:142
"Ouster Doctrine" in Arbitration
3:175

Pendent Jurisdiction in the Fifth Circuit 7:481

Role of National Courts 18:95 Standing to Sue for Antitrust Violations in the Fifth Circuit 9:411

State In Personan Jurisdiction 11:481 State Jurisdiction and Punitive Damages in ERISA Claims 26:591 Younger Doctrine 8:589

JURISPRUDENCE

An Examination of Critical Legal Studies 26:459

Cynicism about the Law: Practicing Ethical Jurisprudence in the Classroom 25:1

Sanction 25:489

Sidney Lanier and the Poetry of Legal Morality 25:309

JUVENILE COURTS

Burden of Proof Same as in Criminal Proceeding 1:360

Right to Treatment for Juvenile Offenders 7:13

Waiver of Miranda Rights 4:394

L

LABOR LAW (See also Arbitration; Collective Bargaining)

Affirmative Action in Job Promotions 17:205

Arbitration and the "Ouster Doctrine" 3:175

Civil Rights Act of 1991 22:801 Class-Wide Back Pay 5:347

Injunctions in Labor Disputes 3:226 Judicial Review of Federal Employment Discrimination 6:405

National Labor Relations Act Burden of Proof in Dual Motive Cases Under § 8(a) (3) 13:239

Cases Under § 8(a) (3) 13:239 National Labor Relations Board Practice 7:205

Norris-LaGuardia Act Does Not Prohibit Injunction when Grievance Subject to Arbitration 1:366

OSHA Overview 4:525 Parameters of Employment-at-Will

Religious Discrimination in Private Employment under Title VII 3:497

Representations Made During Election Campaigns 13:687

Section 301 of Taft-Hartley Act 9:263 Statute of Limitations for § 1981 Claim 6:527 Strike Misconduct Discharges 15:23
Weingarten Right of Employee Representation Under § 7 of the Labor
Management Relations Act 11:421

LANDLORD-TENANT

Exculpatory Clauses 15:765 Landlord Liability for the Criminal Acts of Third Parties 22:387

Lessor's Rejection of Sublease Agreement 9:309

Liens

Priorities Between Article 9 Security Interest and Statutory Landlord's Lien 13:97

LANDS (See also Eminent Domain)

Use Controls and Right to Travel 6:541

LAW AND ECONOMICS

The Prudence of Law and Economics 26:773

LAW AND LITERATURE

Punishment in the Divine Comedy 25:533

Role of Women in the Development of the First Court of Justice 25:577 Sidney Lanier and the Poetry of Legal Morality 25:309

LAW ENFORCEMENT

Fleeing Felon Laws 15:89 Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1

Political Corruption 8:385 Tort Liability of Arresting Officers 7:107

LEGAL EDUCATION

Autonomy and the Cumberland Law Review 19:539

Bar Admission and Diploma Privilege 1:98

Case Law System in America 21:203 Clerking 6:283

Comment on The Lost Lawyer's Legal Education 26:843

Cynicism about the Law: Practicing Ethical Jurisprudence in the

Classroom 25:1 Experience and Legal Education 26:751

Myers-Briggs Type Indicator and Law School Performance 26:63 Professionalism and the Law School 19:309

Proposed Legal Internship Program 1:316

Relevance of Legal Education 17:831 Reply to Professor Ward 26:121

Response to Dean Kronman on Law School Education 26:817 Response to Professor Randall 26:111

Student Run Law Reviews 17:859
Teaching Law to Passive Learners

LEGAL HISTORY

Case Law System in America 21:203
Melville W. Fuller and the Supreme
Court 1888-1910 27:139
Memoir of a Book: Writing the
History of Cumberland 27:1203
Women's Role in the Development of
the First Court of Justice 25:577

LEGAL PHILOSOPHY

An Examination of Critical Legal Studies 26:459 Cultural Sovereignty, Islam, and Human Rights—Toward a Communitarian Revision 25:651 Sanction 25:489

LEGAL PROFESSION

Attorney Fees: What is a Lawyer Really Worth? 25:25

Civility 26:727

Civility, Politics, and Civil Society 26:871

Civility and Remembrance 26:883 Clerking 6:283

Eclipse of the Lawyer-Statesman Ideal 26:859

Ethical Duty to Provide Legal Services for Poor 5:258

Experience and Legal Education 26:751

Finding the Lost Lawyers in a Civil Society 26:851

General Practitioners' Duty to Refer Estate Planning Client to Specialist 14:103

IRC § 6050I: Congressional Infringement on Inherent Power of the Judicial Branch 25:169

Law Firm Associates' Contact with Former Firm's Client Privileged

Lawyer Image and the Scope of Professionalism 26:919

Lawyer-Statesman Ideal and Good Judgment in Today's Law Firm 26:923

Legal Malpractice Liability for Failure to Inform Clients of Alternative Dispute Resolution? 27:791

Loss, Remembrance, and Responsibility 26:809

Meaning in the Life of the Lawyer 26:763

Response to Dean Kronman on Law School Education 26:817

Situation Ethics, Law, and Watergate 6:35

Socio-Ethical Foundation 5:237 The Prudence of Law and Economics

LEGISLATION

ADEA Apprenticeship Exception

Agency Immunity and Officer Liability 14:45

Ala. Code 13A-12-131 19:353

Alabama Detinue Statute 4:602

Alabama Recodification Process 9:119 Alabama Tort Reform '87 18:281

Alabama Trade Secrets Act 18:557
"Any Willing Provider" Legislation
27:199

Appellate Court System 5:451 Arbitration Statutes in Alabama 3:175

Civil Rights Act of 1991 22:801
Co-Employee Lawsuits Under the

Alabama Workmen's Compensation Acts 14:267

Compulsory Retirement 3:333 Constitutional Tax Reform 15:474

Damage Cap Legislation 18:759 Enabling Legislation for Alabama

Rules of Civil Procedure 4:210

Flammable Fabrics Act 4:358 Fleeing Felon Laws 15:89

Grandparental Rights 15:161 Guaranty Association Law in Alabama 20:321

"Incorporation of Trust Powers by Reference" Act 4:563

Item Veto 22:769

Judicial Statutes, Alabama 4:41

Legislative Veto 14:371 Magnuson-Moss 8:205

National Labor Relations Act 1:366; 3:226

Naturalization 7:211

Norris-LaGuardia Act 1:366; 3:226

One Class of Stock Requirement After the Subchapter S Revision Act 14:439

OSHA 4:525

Parental Kidnaping Prevention Act

19.485

Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations

Proposed Bankruptcy Acts 6:287 Recusement 3:133

Redemption of Property After Tax Sales 4:577

Rehabilitation Act 8:977 Replacement of Judges 3:133

Right to Bail in Capital Cases 8:229

Section 1983 Claims, Defenses, and Remedies 15:571

Social Security Act 3:262 Speedy Trial Act 8:905

Stream Modification 8:21

Sunshine Statute Opens State University Faculty Meetings to Public 8:539 Taft-Hartley Act 1:366; 3:226

TEFRA, Deferred Compensation and the Choice of the Business Status 14:517

Title VII and Pregnancy Classification in Employee Disability Plan 8:271

Title VII and Sectarian Institutions of Higher Education 14:597

Tort Reform: Proponent's Perspective 18:649

Usury Statutes 1:291; 1:366

Voting Rights

"Chutzpa" and Minority Voting Rights—Response to Senator Ervin 13:1 Voting Rights Act (Senator Ervin)

19.961

Water Pollution 8:731 Will Revocation Statutes 8:175

LEGISLATIVE REAPPORTION-MENT (See Representative Government)

LIABILITY (See also Consumer Protection; Food, Drug and Cosmetic Law; Negligence)

Accomplice Liability for Social Hosts 19:553

Agency Immunity and Officer Liabil-

AIDS-Negligent Transmission 18:691 Alabama's Extended Manufacturer's Liability Doctrine and Contributory Negligence 22:825

Arresting Police Officers 7:107 Attorney's Negligence 7:69

Cancerphobia 15:723 Cargo Legal Liabilities 17:763 Co-Employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267

Consortium Causes of Action 15:179 Dangerously Unsafe Product 7:365 Drug Warnings to Physicians 15:540 Exculpatory Clauses 15:765 Expansion of Tort of Legal Fraud 18:633

Fleeing Felon Laws 15:89

General Practitioners' Duty to Refer Estate Planning Client to Specialist 14:103

Invasion of Privacy as an Additional Action in Title VII Litigation 15:239

Landlord Liability for the Criminal Acts of Third Parties 22:387

Medical Malpractice Informed Consent 14:237

National Standard of Care 14:251 Negligent Infliction of Emotional Distress 15:519

Negligent Liquor Sale by Vendor 14.411

Newsworthiness Defense to Public Disclosure of Private Facts 15:211 Parental Consortium 18:473

Personal Liability and Strikes 18:511 Physicians' Liability for Injuries to Nonpatients 17:505

Pinter v. Dahk Participant Liability 19:191

Section 1983 Claims, Defenses, and Remedies 15:571

Space Debris 17:167

Strict Liability for Manufacturer of Saturday Night Special 16:493

Strict Products Liability in Admiralty 12:121

Successor Corporation 10:633 Tax Shelter Opinions After TEFRA, Circular 230, and ABA Formal Opinion 346 14:493 Tort of Outrageous Conduct 14:425

LIBEL AND SLANDER

Constitutionality of Punitive Damages and Role of "Common-Law Malice"

Federalism-A Confrontation: New York Times v. Sullivan 18:111

First Amendment: Hustler Magazine v. Falwell 19:19

Punitive Damages 6:267

Review of Supreme Court Decisions 6:667

LIENS

Amendment to § 9-310 of the Alabama U.C.C.: Priorities Between rticle 9 Security Interest and Statutory Landlord's Lien 13:97

IRS Tax Liens 18:581

Materialman's Lien in Alabama 9:343 Priority Between Construction Mortgage Loans and Mechanics' Liens 6:243

LIMITED LIABILITY COMPANY

Limited Liability Company and the RRA OF 1993 24:259

LOANS

Alabama's Mini Code: A Risk 18:385 Negotiability of Variable Rate Notes 22:745

Truth-In-Lending 7:255

MARITIME LAW (See also Admiralty)

Admiralty Courts 1:221 Navigation and Seaworthiness 2:448 Shipowner's Liability for Injury 2:448 United States Consul's Role 6:559

MECHANICS' LIENS

Priority Problem Between Construction Mortgages and Mechanics' Liens 6:243

MEDIA (See Constitutional Law—First Amendment; Radio and Television)

MEDICAL MALPRACTICE (See Torts—Medical Malpractice)

MEDICARE

Generally 3:298 Medicare: Prospective Payment 17:417

MEETINGS

Sunshine Statute Opens State University Faculty Meetings to Public 8:539

MENTAL HEALTH

Cancerphobia 15:723

Duty of Psychotherapist to Warn of Violent Patient 7:551

Duty to Control Mental Patients 14:165

Geriatric Psychiatry; Testamentary Capacity 3:322

Neurosis Following Trauma 8:495 Requirement of Superintendent's Certificate Prior to Release from Mental Hospital 3:517 Sterilization of Mental Defectives 3:458

MERGER

Fiduciary Duty Breach in Bank Merger 7:135

Nonprofit Hospital Mergers: Caution Needed 20:717

MILITARY SERVICE (See also Citizenship)

Conscientious Objection 1:333; 8:1 Court-Martial Jurisdiction over Civil Crimes 1:268

Renunciation of U.S. Citizenship to Avoid Violating Selective Service Laws 3:206

MORTGAGES

Alabama's Mini-Code: A Risk 18:385 Foreclosure Under Power of Sale 4:507

MOTOR VEHICLES

Alabama Uninsured Motorist Claims 23:739

Alabama Uninsured Motorist Coverage Exclusions 20:267

Automobile Guest Statute 4:378; 16:263

Burden of Proof on Plaintiff in Second Collision 7:571

Evidence of Plaintiff's Failure to Wear Seat Belt in Mitigation of Damages 1:392

Implied Consent Laws: Drunk Driver 19:177

Murder Convictions for Homicides Committed While Driving Intoxicated 8:477

"Other Insurance" Clause in Automobile Liability Insurance Policy 3:191; 3:200

MUNICIPAL CORPORATIONS

Growth Restriction Plan 5:543 Liability for Failure to Contain Vicious Dogs 5:175 Liability for Fourteenth Amendment Violations 9:259 Property Owner as Third-Party Beneficiary 6:723

N

NATURALIZATION

Tort Immunity 2:437

Generally 7:211

NEGLIGENCE

Accomplice Liability for Social Hosts 19:553 Alabama Tort Reform '87 18:281 Attorney's Liability 7:69 Auto Guest Statute 4:378 Cancerphobia 15:723

Consortium Causes of Action 15:179 Damage Cap Legislation 18:759 Dangerously Unsafe Products 7:365 Drug Warnings to Physicians 15:540 Exculpatory Clauses 15:765

Family Practitioner Held to National Medical Neighborhood Standard of Care 14:251

Guest Statutes 16:263 Implied Consent Laws: Drunk Driver 19:177

Informed Consent 14:237 Injuries Inflicted by Intoxicated Minor Held Foreseeable Consequence of Negligent Sale by Vendor 14:411 Negligent Infliction of Emotional

Distress 15:519 Outrageous Conduct 14:425 Physician Liability in Alabama 15:631 Section 1983 Claims, Defenses, and Remedies 15:571

Tort Reform: Proponent's Perspective 18:649

NEGOTIABLE INSTRUMENTS (See also Commercial Law)

0

OBSCENITY

Ala. Code 13A-12-131 19:353 Alabama's "Red Light" Abatement Act 10:593 Minors' Access Laws 18:141

OFFSPRING

Deeds 2:486

OIL AND GAS

Compulsory Pooling 1:85 Leasing Coalbed Methane Gas Rights 15:703 Ownership in Public Land 6:689 Taxation 13:307

OMBUDSMAN (See also Administrative Law)

Nebraska Public Counsel 5:30

P

PARENT AND CHILD

Consortium Causes of Action 15:179
Courts as Parens Patriae 5:163
Divorce, Separation, and Child Support Taxation 15:341
Educational Planning 15:371
Free Exercise of Religion 19:585
Grandparental Rights 15:161
Home Instruction 16:179
Kidnaping Prevention Act 12:485
Parental Consortium 18:473
Pre-Natal Injuries 4:200
Tender Years Presumption in Child
Custody Cases 12:513
Utah's Parental Notification Statute
12:711

PARENTAL IMMUNITY

Free Exercise of Religion 19:585 Intra-Family Tort Liability 5:273 Parental Immunity in Alabama 25:409 Parental Kidnaping Prevention Act of 1980: Death Knell for "The Rule of Seize and Run" 12:485 Right of Unemancipated Minor to Sue Estate of Deceased Parent 2:496

PAROLE

Probation Revocation Sanctions 18:437 Right to Counsel in Revocation Hearings 4:612

PARTNERSHIPS

Aggregate Theory Used to Deny Employee's Insurance Recovery 8:991 Taxation 9:937 Thoroughbred Investments 15:253

PATENTS

Alabama Trade Secrets Act 18:557 Inherently Distinctive Product Configurations Under § 43 of the Lanham Act 26:1071 Limited Patenting of Computer Programs 16:27 Registration System 4:409

PENOLOGY

Courts, Prisons and Prisoners 27:1173 Disposition and Reduction of 42 U.S.C. § 1983 Prisoner Petitions— Fifth Circuit Approach 11:369 "Double Celling" 12:727 Future of Imprisonment 6:537 Politicized Prisoner 4:486 Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations

Prisoners—Can Prisons Be Compelled to Rehabilitate? 4:471 Prisoners' Rights 4:471; 22:215 Privatization of Corrections 17:683 State Prison Reform 7:31

PHARMACISTS

Drug Warnings to Physicians 15:540 Negligent Dispensation of Birth Control Pills 3:220

PHYSICIANS

Drug Warnings to Physicians 15:540 Duty of Psychotherapist to Warn of Violent Patient 7:551 Duty to Control Mental Patients 14:165

Informed Consent 14:237 Medical Malpractice—Family Practitioner Held to National Medical Standard of Care 14:251

Permission to Perform Surgical Transplant 5:163

Physician Credentialing—Sherman Act 18:419

Physician Liability in Alabama 15:631 Physician's Breach of Confidentiality 5:169

Physician's Liability for Disclosure of Confidential Information 13:617 Physicians' Liability for Injuries to

Nonpatients 17:505

Revocation of Physician's License for

Felony Conviction 8:295
Right to Choose Death 13:117

Right to Die 3:235; 22:841 Selective Non-Treatment of Severely Handicapped Neonates 25:631

POLICE

Failure to Preserve Evidence and Bad Faith 20:211 Fleeing Felon Laws 15:89 Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1

Racial Quotas 8:283 Tort Liability 7:107

POLITICS

Alabama Task Force Report on Tobacco Litigation 27:575 Catch-All Investment Contracts: Economic Realities 14:135 Constitutional Tax Reform 15:474 Corporate Campaign Funding 4:544 Federal Prosecutor's Role in Fighting Political Corruption 8:385 Nixon Presidency 6:213 Politicized Prisoner 4:486 Presidential Fair Housing Policies 8:619 Senate Code of Conduct 8:357

POLLUTION

Federal Law on Water Pollution 8:731 Industrial Air Pollution Control 2:198 Radioactive Waste Disposal 23:655

POVERTY LAW

Legal Services 5:258

PREEMPTION DOCTRINE

Preemption—Cigarette-Label Health Warning 21:371

PRISONS (See Penology)

PRIVATE RIGHTS OF ACTION

Catch-All Investment Contracts: Economic Realities 14:135 Co-Employee Lawsuits 14:267 Implied 13:569 Invasion of Privacy as an Additional Action in Title VII Litigation 15:239

PRODUCTS LIABILITY (See also Consumer Protection; Food, Drug and Cosmetic Law; Negligence)

Alabama Tort Reform '87 18:281 Alabama's Extended Manufacturer's Liability Doctrine and Contributory Negligence 22:825 Alabama's Statute of Repose 11:163

Damage Cap Legislation 18:759 Design Hazards and the Meaning of Defect 10:293

Drug Warnings to Physicians 15:540 Expansion of Tort of Legal Fraud 18:633

Federal Rule of Evidence 407 13:675 Self-Insurance—Products Liability Insurance Tax 9:831

Strict Liability for Manufacturer of Saturday Night Special 16:593 Successor Corporation Estopped from Disclaiming Liability for Defective Products of Predecessor 10:633

Tort Reform: Proponent's Perspective 18:649

PUNITIVE DAMAGES

Alabama: A Jurisdiction out of Control? 27:973

Constitutionality of Punitive Damages 21:585

Punitive Damages in Alabama 22:255; 26:1005

State Jurisdiction and Punitive Damages in ERISA Claims 26:591

R

RADIO AND TELEVISION

Editorial Discretion of Non-Commercial Public Broadcast 13:397

FCC Regulation of Cable Pay-Television 9:811

FCC v. National Citizen Committee for Broadcasting—Closer Step to Complete Media Regulations 9:851

Newsworthiness Defense to Public Disclosure of Private Facts 15:211 Televised Trials 7:323

RADON

Radon Litigation: Homeowners' Potential Actions 20:823

RAILROADS

Mergers 4:458

REAL PROPERTY

Ad Valorem Property Tax 4:577 Alabama Environmental Laws Affecting Business and Real Estate 20:599 Alabama Tidelands and the Public Trust Doctrine 20:365

Boundary Line Disputes 3:70 Caveat Emptor in Purchase of New Home 3:216

Common-Law Joint Tenancy 4:190 Divorce; Survivorship Deed 2:241 Exclusionary Zoning 4:105; 5:309 Implied Warranty of Habitability 22:73

Leasing Coalbed Methane Gas Rights 15:703

Lessor's Rejection of Sublease Agreement 9:309

Married Persons' Real Property Rights in Alabama 10:509 Mortgage Foreclosure 4:507 Municipal Growth Control Plan 5:543 Nontaxable Realty Exchanges and Conversions 10:709

Private Property Owners and the Public Trust Doctrine 20:451 Real Estate Development Planning 9:789; 16:353

Redemption after Tax Sale 4:577; 11:331

Rule Against Perpetuities 13:161 Tax Planning For Real Estate Development 16:353

REAPPORTIONMENT (See Representative Government)

RELIGION

Accommodating Church and State 15:67

Accreditation and Religious Discrimination 15:663

Amish Granted Exemption from Compulsory Education 3:508

"Booth" Rule at State Fair 12:693 Church/State Symposium—The Constitutional Issues of Tax Exemptions for Churches 22:471

Conscientious Objection Status 1:333 Creation-Science in Louisiana 17:87 Discrimination in Private Employment 3:497

Federalism, Fundamental Fairness, and the Religion Clauses 25:247 Free Exercise of Religion 19:585 Protestants, Catholics, and "Free Ex-

Protestants, Catholics, and "Free Exercise" 8:77 Religion and Community in a Pluralistic Society 26:125

Right to Choose Death 13:117 Right to Die 3:235; 22:841 School Prayer: The Jaffree Case 15:125 Ten Commandments Display in County Courthouse 24:339

Sign Language Interpreter 24:587 Textbooks, Judges, and Science 17:116

Title VII and Sectarian Institutions of Higher Education 14:597

REMEDIES

Alabama Tort Reform '87 18:281 Alabama Trade Secrets Act 18:557 Antitrust Policy 7:413 Arbitration Clause 3:175 Civil Remedies of Rule 10b-5 7:429 Co-Employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267

Constitutional Tax Reform 15:474
Constitutionality of Punitive Damages and "Common-Law Malice" 10:487
Creditors' Remedies Under Article 6 of the U.C.C. 10:739

- Damage Cap Legislation 18:759 Divorced Father's Right of Recovery for Wrongful Death of Minor Child 1-383
- Employee's Right to Injunction Prohibiting Smoking in Office 8:579 Exhaustion of State Administrative Remedies Requirement in § 1983
- Actions 12:391
 Failure of Notice in Disposition of
- Collateral: Debtor and Creditor Rights 14:181 Injuries Inflicted by Intoxicated Mi-
- nor Held a Foreseeable Consequence of Negligent Sale by Vendor 14:411
- Outrageous Conduct 14:425
- Pre-Judgment Interest 8:521 Section 1983 Claims, Defenses, and
- Remedies 15:571 Set-Off and Recoupment 4:329
- Statutory Remedies in Alabama 10:549
- Tort Reform: Proponent's Perspective 18:649
- Warehouseman's Lien 8:553

REMOVAL

Preserving Objections to Jurisdictional Flaws in Removal Cases 21:663

REPLEVIN

Detinue Statute 4:602 Sequestration 5:136

REPRESENTATIVE GOVERNMENT

- Accommodating Church and State
- "Chutzpa" and Minority Voting Rights—Response to Senator Ervin 13:1
- Co-Employee Lawsuits Under Alabama Workmen's Compensation Acts 14:267
- Acts 14:267
 Constitutional Tax Reform 15:474
 Reapportionment—Variation in Population of Legislative Districts 4:387
- lation of Legislative Districts 4:387 School Prayer: The Jaffree Case 15:125 Student Voting: Domicile Requirement 3:474
- Voting Rights Act (Senator Ervin) 12:261

RIGHT TO COUNSEL

Accused's Right to Self-Representation 6:703

Argersinger v. Hamlin 7:377

Disciplinary Proceedings in Public

- and Private Educational Institutions 9:751
- Fifth Circuit Approach 7:467 Legal Services 5:258
- No Entitlement to Particular, Appointed Attorney 4:642
- Parole/Probation Revocation Proceedings 4:612
- Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1
- Preliminary Hearing 1:116

RIGHT TO PRIVACY

- AIDS-Infected Blood Donors 18:267 Invasion of Privacy as an Additional
- Action in Title VII Litigation 15:239
- Involuntary Sterilization of Mental Defectives 3:458
- Marital Privacy 16:229
- Moral Order and Individual Liberty 16:555
- Newsworthiness Defense to Public Disclosure of Private Facts 15:211
- No Reasonable Expectation of Privacy in Police Car 24:147
- Regulating Abortion Counseling of Publicly Funded Facilities 22:399
- Right of Publicity 14:347 Waiver of Search Warrant Require-
- ment by Wife 1:121 Warrantless Search of College Dormitory 2:229

RIGHT TO TRIAL BY JURY

- Alabama 4:317
- Collateral Estoppel Effect of Prior Equitable Determination 10:619
- Jury Pools and Voter Lists 15:555 Jury Trials and § 17a(2) of the Bank-
- Jury Trials and § 17a(2) of the Banl ruptcy Act 9:457
- Jury Trials in Bankruptcy Court—Granfinanciera 24:79
- Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1
- Six Man Jury 1:350; 5:339

S

SALES (See Commercial Law)

SCHOOLS AND SCHOOL DISTRICTS

- Accreditation and Religious Discrimination 15:663
- Compulsory Attendance 3:508 Corporal Punishment 7:169

County School Board 8:343

Creation-Science in Louisiana 17:87 Discriminatory Admissions by Private Schools 7:527

Neighborhood Schools 5:315

Passage of Functional Literacy Examination as Prerequisite to Receipt of High School Diploma 10:863

Public School Equity Funding 25:133 Public School Financing Based upon Local Property Taxation 3:211

Regulation of Student Newspapers 18:181

Right to Counsel in Disciplinary Proceeding 9:751

School Desegregation in the Fifth Circuit 7:273

School Prayer: The Jaffree Case 15:125 Search of a Dormitory Room 2:229 State Aid to Students Attending Sectarian Schools 4:620

Student Rights and Discipline 1:195 Student Voting: Domicile Requirement 3:474

Textbooks, Judges, and Science 17:116

Title VII and Sectarian Institutions of Higher Education 14:597

SEARCH AND SEIZURE

Body Searches 18:233

Border Searches in the Fifth Circuit 8:107

Electronic Tracking Devices 13:51 Fifth Circuit Adopts Restrictive Definition 13:79

Fleeing Felon Laws 15:89

Search and Seizure—Investigating Narcotics Offenses at Permanent Checkpoints 21:38

Plea Bargaining, Prosecutorial Discretion, and Prescriptive Limitations 15:1

Scope Determined by Legitimate Expectation of Privacy 10:237 Search Incident to Arrest 13:431 Search of Person after Full Custody

Arrest 5:130
Subjective Intent of Monitoring Officers Conducting Wirston 9:803

cers Conducting Wiretap 9:893 Waiver by Wife of Husband's Fourth Amendment Protection 1:121

Warrantless Search of Containers Within Automobiles 22:371

Warrantless Searches of Dormitory Rooms 2:229

SECURED TRANSACTIONS (See also Bankruptcy; Commercial Law)

Amendment to § 9-310 of the Alabama U.C.C.: Priorities Between Article 9 Security Interest and Statutory Landlord's Lien 13:97

Failure of Notice in Collateral Disposition—Effect on Debtor-Creditor Rights per Alabama U.C.C. 14:181 Leasebacks 15:431

Perfected Security Interest Versus Competing Claims 5:1

SECURITIES

Arbitration

Waiver of Right to Compel Arbitration of Investor-Broker Disputes 21:615

Business Judgment Rule: Independent Directors Permitted to Terminate Derivative Actions Against Fellow Interested Directors 11:389

Catch-All Investment Contracts: Economic Realities 14:135

Civil Remedies of Rule 10b-5 7:429 Collateral Estoppel Effect of Prior Equitable Determination in SEC Actions 10:619

Criminal

Alabama 13:415

Definition of the "Institutional Buyer" 25:95

Franchises: Compelling Full Disclosure 5:501

Fraud

Fraudulent Conveyance in Securities Law 22:103

Pledge of Securities as Loan Collateral 11:237

Purchaser-Seller Requirement 3:541 State of Mind Requirement 4:94

Going Private 6:141

Horizontal and Vertical Commonality 19:323

Implied Private Rights of Action 13:569

Insurance and Federal Regulation 1:143

Insurance Investment 9:22

19:191

Non-Purchaser Standing 9:319 Pinter v. Dahl: Participant Liability

Printer with Regular Access to Nonpublic Information was "Insider" 10:275

Privity, Scienter, Use and Abuse of Federal Cases in Construing Securities Act of Alabama 21:325 Purchaser-Seller Standing Requirement Under Rule 10b-5 6:741 Real Estate Transactions 14:301 Regulation: Scienter Requirement Under Rule 10b-5 7:343

Reliance

Private Actions Under SEC Rule 10b-5 9:721

State Court as Forum 9:663 Rescissionary Recovery—Tax Offset Rule Struck Down 17:275 Rule 10b-5: "State of the Mind" Elements in the Eleventh Circuit

12:633

Sale of Business Doctrine 14:559
Section 16(b)—Pragmatic Test 4:650
Securities Act of Alabama: Evolution
and Leap of Faith 21:309
Securities Litigation in Alabama

20:481

Scienter

Privity, Scienter, Use and Abuse of Federal Cases in Construing Securities Act of Alabama 21:325

Rule 10b-5: "State of the Mind" Elements in the Eleventh Circuit 12:633

Scienter Requirement Under Rule 10b-5 7:343

Shareholder's Cause of Action 1:375 Thoroughbred Investments 15:253 Tippee's Civil Liability Under 10b-5 5:354

Waiver of Right to Compel Arbitration of Investor-Broker Disputes 21:615

SEGREGATION (See Civil Rights)

SELECTIVE SERVICE (See Military Service)

SELF-INCRIMINATION (See also Criminal Law and Procedure)

Accused's Right to Self-Representation 6:703 Self-Incrimination—Compelling Signature of Consent Forms 16:165

SENTENCING (See also Criminal Law and Procedure)

Hate Crime Statute and Sentence Enhancement 24:325

Offender Involvement in the Sentencing Process 8:403

Patterns in Northern District of Alabama 5:88

Plea Bargaining, Prosecutorial Discre-

tion, and Prescriptive Limitations 15:1

Probation Revocation Sanctions 18:437

SEX CRIMES

Constitutionality of Florida Sodomy Statute 3:525 Moral Order and Individual Liberty 16:555

SEXUAL HARASSMENT

Reasonable Woman Standard 24:559 Same-Gender Sexual Harassment 27:231

SHIPPING

Shipowners' Relinquishment of Control to Independent Contractor 2:448

SITUATION ETHICS (See also Ethics)

Law and Watergate 6:35 Should Anencephalic Infants Die to Serve Noble Goals? 27:1279

SOCIAL PSYCHOLOGY

Skinner Versus Freedom 4:425 Due Process, First Amendment, and Limited Government 4:1 Religion and Community in a Pluralistic Society 26:125

SOCIAL SECURITY (See also Administrative Law)

Appeals Process 3:279 Disability Reviews 16:111 Role of Private Attorney 3:262

SPECIALIZATION OF LEGAL PROFESSION

Overview 6:453

SPORTS

NCAA Subject to Rule of Reason Test Under Sherman Act 7:505

STATE SOVEREIGNTY

Radioactive Waste Disposal 23:655

STATUTE OF LIMITATIONS

Alabama's Limitation Statute for Asbestos Victims 12:667

Statute of Limitations Run from Time of Exposure Not Time of Discovery in Tort Actions for Radiation Injuries 11:205

STERILIZATION

Mentally Infirm 3:458

SYMPOSIUM

Alabama: A Jurisdiction out of Control? 27:973

Church/State Symposium-The Constitutional Issues of Tax Exemptions for Churches 22:467

Legal Systems in Transition: New Directions for Eastern Europe-The Fourth Annual Federalist Society Lawyers Convention Symposium 21:427

The Congress: Representation, Accountability and the Rule of Law

T

TAX PROCEDURE

Defenses and Discovery in Tax Fraud Investigations 10:655

Extracting Documents and Information from I.R.S. 12:303 I.R.S. Criminal Tax Investigations of

Corporations 12:233 Jeopardy Termination Taxpayer 7:193 Summoning Tax Documents 5:551

TAXATION

Accumulated Earnings Tax 9:71 Achieving and Maintaining Tax-Exempt Status 16:301

Charitable Gift of Life Insurance 22:299

Choosing Between Cooperative or Condominium Conversion 12:453

Church/State Symposium—The Constitutional Issues of Tax Exemptions for Churches 22:467

Corporate Acquisitions 15:143 Corporate Tax (See Corporations-Taxation)

Criminal Investigations

I.R.S. Investigations of Corporations

Deductibility of Real Estate Acquisition and Construction Expenses 11:689

Discovery

Extracting Documents and Information from I.R.S. 12:303

Divorce, Separation, and Child Support Taxation 15:341 Domestic International Sales Corp.-

50% Tax Deferment 3:411 **Educational Planning 15:371** Equitable Tolling of Internal Revenue

Code Section 6511 27:297 Federal Estate Tax

Estate and Gift Tax Reform Act of 1976 7:1

Estate Tax Apportionment and Non-Probate Assets 21:1

Inter Vivos Trust 2:490 Irrevocable Life Insurance Trusts 12:283

Revenue Act of 1971 3:81 General Practitioners' Duty to Refer state Planning Client to Specialist

Home Office Deductions: § 280A(c)(1) 13:195

Incidents of Ownership Under § 2042

Income Taxation: Alimony and Child Care Payments 9:177

Insurance

14:103

Charitable Gift of Life Insurance 22:299

Irrevocable Life Insurance Trusts

Self-Insurance—Products Liability Insurance Tax Equity Act of 1977 9:831

Universal Life 13:219; 13:499

Investment Incentives for Business Taxpayers 13:329

Investment Tax Credits 15:411

IRS Tax Liens 18:581 Land Trust Alternative 19:241

Leasebacks 15:431 Limited Liability Company and the

RRA OF 1993 24:259 McCandless 6:1

Net Operating Loss Carryovers 8:147; 8:331

Nonrecourse Mortgage Demise of Crane's Famous Footnote

13:707 Nontaxable Realty Exchanges and

Conversions 10:709 Oil & Gas 13:307

One Class of Stock Requirement after the Subchapter S Revision Act of 1982 14:439

Pre-Retirement Qualified Plan Pay-Outs Under ERISA 9:83

Public School Financing Based upon Local Property Taxation 3:211

Redemption of Property after Tax Sales 4:577

Section 1983 Claims, Defenses, and Remedies 14:571

- Section 302 Redemptions 11:553 Section 6050I: Congressional Infringement on Inherent Power of the Judicial Branch 25:169
- Self-Incrimination Privilege 5:551 Self-Insurance—Products Liability Insurance Tax Equity Act of 1977 9:831
- Separation and Divorce 10:695 Southeast Transaction Guide 7:583 Standard of Review of Characterization of Gains from Sale of Real Estate 14:643
- Tax Exemption to Churches 1:345
 Tax Planning For Real Estate Development 16:353
- Tax Shelter Investments: A Review 17:731
- Tax Shelter Opinions After TEFRA, Circular 230, and ABA Formal Opinion 346 14:493
- Taxation of Alabama's Wrongful Death Damages 17:53
- TEFRA, Deferred Compensation and the Choice of the Business Status 14:517
- Thoroughbred Investments 15:253 Treasury Regulation § 1.365-Guidelines for Structuring Debt of
- Closely Held Corporation 12:139 Trusts in Income Tax Planning 9:51 Unified Credit 16:517 Wrongful Death Damages 15:745

Wrongful Death Statute 3:164

- TELEVISIONS (See Radio and Television)
- TORTS (See also Consumer Protection; Damages; Food, Drug and Cosmetic Law; Negligence; Wrongful Death)
- Abusive Litigation 18:491 Accomplice Liability for Social Hosts
- 19:553
- Additur and Remittitur 3:150
- AIDS—Negligent Transmission 18:691 Alabama's Exclusive Remedy Provision Inapplicable to Tort of Outrageous Conduct 14:425
- Alabama's Extended Manufacturer's Liability Doctrine and Contributory Negligence 22:825
- Alabama's Limitation Statute for Asbestos Victims 12:667
- Alabama's Survival Statutes 22:711 Alabama Task Force Report on
- Tobacco Litigation 27:575 Alabama Tort Reform '87 18:281

- Alabama Trade Secrets Act 18:557 Alabama Wrongful Death Act— Nonviable Fetus 24:159
- Appellate De Novo Review in First Amendment Cases 4:182
- Automobile Guest Statutes 4:378 Bad Faith 8:241; 16:329
- Blasting—Abnormally Dangerous Activity, Strict Liability Standard 11:23
- Burden of Proof on Plaintiff in Second Collision 5:571
- Cancerphobia 15:723 Civil Punishment and Tort Reform in Alabama 20:47
- Co-Employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267
- Comparative Negligence 6:515 Consortium Causes of Action 15:179 Constitutionality of Punitive Damages 21:585
- Copyright 1:109
- County Immunity 11:753
- County School Board 8:343
- Damage Cap Legislation 18:759 Doctrine of Informed Consent 14:237
- Drug Warnings to Physicians 15:540 Duty of Psychotherapist to Warn of Violent Patient 7:551
 - Duty to Control Mental Patients 14:165
 - Exculpation and Indemnification Agreements in Alabama 11:183
- Exculpatory Clauses 15:765
 Expert Testimony of Inflationary
- Effect on Pecuniary Damages 6:733 Failure to Wear Seat Belts in Mitiga-
- tion 1:392 Federal Tort Claims Act Discretionary Function Exception
- 2:383; 13:535 Federal Tort Liability 2:383
- Fleeing Felon Laws 15:89 Foreseeability as Evidence of Tort Liability 23:349
- Hospital's Immunity for Performing Government Function 1:135
- Industrial Air Pollution Control 2:198 Injured Employees' Recovery Against
- Corporate Officers 3:532 Injuries Inflicted by Intoxicated Minor Held Foreseeable Consequence of Negligent Sale by Vendor 14:411
- of Negligent Sale by Vendor 14:4 Intentional Infliction of Emotional Distress 12:525
- Intrafamily Tort Liability 5:273
- Invasion of Privacy as an Additional Action in Title VII Litigation 15:239

Landlord Liability for the Criminal Acts of Third Parties 22:387

Law Firm Associates' Contacts with Former Firm's Clients 9:601

Libel Law 6:67

Locality Rule Abandoned and Family Practitioner Held to National Standard of Care 14:251

Medical Malpractice

Alabama Locality Rule 11:275 Damage Limitations in Medical Malpractice Actions 17:569

Informed Consent: Alabama's Proximate Cause Standard 17:519 Malpractice and Health Care Deliv-

ery 17:313 Physician's Liability for Disclosure

of Confidential Information 13:617

Physicians' Liability for Injuries to Nonpatients 17:505 Misfeasance-Nonfeasance Dichotomy

7:355

Municipal Immunity 2:437; 5:175; 6:723

Negligent Dispensation of Birth Control Pills 3:220 Negligent Infliction of Emotional

Distress 15:519 Negligent Loss of Parental Society

Neurosis 8:495

Newsworthiness Defense to Public Disclosure of Private Facts 15:211 No-Fault Automobile Insurance Act

"Open and Obvious" 7:561 Parental Consent to Surgical Transplant 5:163

Parental Consortium 18:473

Parental Immunity

Doctrine Extended to Foster Parents 23:483

Parental Immunity Doctrine 2:496 Parental Immunity in Alabama 25:409

Personal Liability and Strikes 18:511 Physician Liability in Alabama 15:631 Physician's Breach of Confidentiality 5:169

Practicality of Alabama's Tort of Bad Faith 16:329

Prima Facie Tort 11:113 Products Liability

Alabama's Statute of Repose 11:163
Design Hazards and the Meaning of
Defect 10:293

Federal Rule of Evidence 407

Self-Insurance 9:831 Successor Corporation Liability 10:633

Racism in Jury Selection 22:269 Restatement as Authority For Attractive Nuisance Cases 21:167 Right of Publicity 14:347

Section 1983 Claims, Defenses, and Remedies 15:571

Social Host May Be Liable for the Acts of Intoxicated Guests 9:613 Statute of Limitations Runs from

Time of Exposure Actions for Radiation Injuries 11:205

Strict Liability for Manufacturer of Saturday Night Special 16:593

Successor Corporation Disclaiming Liability for Defective Products of Predecessor 10:633

Tort Immunity to Co-Employee 9:921 Tort Reform: Proponent's Perspective 18:649

Tort Reform: 1993 Symposium on Alabama Tort Reform 24:405 Wife's Loss of Consortium 2:189; 2:464: 6:275

Wrongful Birth Actions 24:545 Wrongful Death Damages 15:745

TRADE REGULATION

Alabama Trade Secrets Act 18:557 Breaching the Tariff Wall— Zenith Radio 9:631 Caffeine Regulation in the United States 27:65

Flammable Fabrics Act 4:358 International Protection of Electronic Databases 27:17 Retailer; Deceptive Advertising 2:500

TRADEMARKS

Color as a Trademark 24:299 Inherently Distinctive Product Configurations Under § 43 of the Lanham Act 26:1071

TREATIES

Foreign Service of Process by Direct Mail Under Hague Convention 21:3 International Protection of Electronic Databases 27:17 Warsaw Convention 8:763

TRIALS

Bankruptcy Act 9:457 Jury Trials in Bankruptcy Court—Granfinanciera 24:79 Right to Jury Trial in Alabama 4:317 Speedy Trial Act of 1974 8:905 Sponsorship Strategy: Evidentiary Tactics For Winning Jury Trials 21:423

Televised Trials 7:323

TRUSTS

Duty to Refer Estate Planning Client to Specialist 14:103
Educational Planning 15:371
Estate Tax Apportionment and Non-Probate Assets 21:1
Incidents of Ownership Under § 2042 8:703
Income Tax Planning 2:490
"Incorporation of Trust Powers by Reference" Act 4:563
Intra-Family Trust Leasebacks: Fifth Circuit Perspective 11:47

TRUTH-IN-LENDING

Regulatory Uncertainty 7:255

Land Trust Alternative 19:241

Rule Against Perpetuities 13:161

U

UNFAIR COMPETITION (See Trade Regulation)

UNFAIR LABOR PRACTICES (See Trade Regulation)

UNIFIED CREDIT 16:517

UNIFORM COMMERCIAL CODE (See Commercial Law)

UNIFORM PROBATE CODE (See Wills)

UNINSURED MOTORISTS (See Insurance)

USURY

Credit Sales 1:291 Restrictions Repealed 6:503

*7

VENUE

Alabama Tort Reform '87 18:281 Tort Reform: Proponent's Perspective 18:649 Venue in Alabama 9:767

VOTING

Alabama Absentee Ballot Controversy

26:197

At-Large Voting Dilution Claims 9:443 "Chutzpa" and Minority Voting Rights—Response to Senator Ervin 13:1

Critique of Shaw v. Reno and Miller v. Johnson 26:527

Ethnic Segregation by Religion and Race 26:515

Judges as Representatives Under Voting Rights Act 22:331 Jury Pools and Voter Lists 15:555 Kiryas Joel and Shaw v. Reno 26:387 Majority Black Districts as Challenges

to American Nationalism 26:407 Racial Gerrymandering 26:313 Reapportionment—Population Varia-

tion of Legislative Districts 4:387 Religion, Race, Segregation, and Districting 26:365

Shaw v. Reno and Miller v. Johnson 26:503

Student Voting: Domicile Requirement 3:474

Voting Rights in the Post-Shaw Era 26:287 Voting Rights Act (Senator Ervin)

12:261 Write-in Voting 22:311

W

WAGES

Assignment to Secure Loan 5:322

WARRANTY (See Commercial Law; Torts)

WATER RIGHTS

South Atlantic and Gulf Region 12:47

WILLS

Alabama Probate Code 12:549
Common-Law Joint Tenancy 4:190
Duty to Refer Estate Planning Client
to Specialist 14:103
Estate Tax Apportionment and
Non-Probate Assets 21:1
Executor's Attorney's Fees 2:505
Informal Probate 4:440
Rule Against Perpetuities 13:161
Six-Man Jury in Contest of Will 5:339
Testamentary Capacity 3:322
Will Revocation Statutes 8:175

WITNESSES (See also Evidence; Expert Witnesses)

Oath or Affirmation to Establish

Competency 22:163 Substantive Use of Prior Inconsistent Statements 22:175 Use of Memoranda 6:471

WORKERS' COMPENSATION

Alabama's Exclusive Remedy Provision Inapplicable to Tort of Outrageous Conduct of Workmen's Compensation Carrier 14:425 Amendments to Alabama Law 7:123 Co-Employee and Workmen's Compensation Carrier Suits 11:639 Co-Employee Lawsuits Under the Alabama Workmen's Compensation Acts 14:267 Employee Rape and Workers' Compensation 20:799 Insurer's Liability for Negligent Safety Inspection 3:118 Statute Granting Tort Immunity to Co-Employee 9:921 Workmen's Compensation Coverage on an Independent Contractor 22:787

WRONGFUL DEATH

Alabama's Survival Statutes 22:711
Breach of Warranty 4:175; 4:658
Damages 15:745
Divorced Father's Right of Recovery
for Minor Child 1:383
Nonviable Fetus 24:159
Pre-Natal Injuries 4:200; 5:362
Punitive Damages 8:567
Taxability of Damages Under
Alabama's Wrongful Death Statute
3:164
Taxation of Alabama's Wrongful
Death Damages 17:53
Wrongful Death and Double Jeopardy
96:231

v

YOUTHFUL OFFENDERS

Denial of Right to Trial by Jury in Alabama 6:491

Z

ZONING (See also City Planning)

Exclusionary Zoning 4:105; 5:309 Land Use Controls and the Right to Travel 6:541 Population Growth Control 5:543 Reapportionment 4:387